



on THE *move*

December 2006

SAFE & HAPPY HOLIDAYS

TO ALL LOCAL 113
MEMBERS AND
THEIR FAMILIES

GOOD LUCK CAR & TRUCK

MOVING TO
LAKESHORE

Pg. 8

ATU MEMBER SAVES KID

AMBER ALERT
JANITOR HERO

Pg. 11

PENSIONERS' PARTY PIX

THERE IS LIFE
AFTER THE TTC

Pg. 16



Toronto is Canada's economic engine and cultural centre.
But without major new investments in public transit,
our great city will become a 21st century backwater
of empty towers and lonely streets.

It's time for governments to face the funding crisis.

SOS to governments: We need more transit

If Toronto were an American city, the TTC would be getting hundreds of millions of dollars more in funding from both the state and the federal governments. That's because the Americans, even though they invented the culture of the automobile, understand the importance of public transit better than Canadians, or rather, better than Canadian *politicians*.

Part of the problem is our political system, which is heavily weighted in favour of rural Canada. Take Prince Edward Island, for example, which has a population of about 135,000 people. Very *nice* people, by the way. But tiny PEI has four seats in the Canadian Parliament. By contrast, the federal riding that I grew up in, which includes Cabbagetown, has about 120,000 people with only one member to represent them in Parliament. This means a vote in PEI is worth nearly four times what a vote in Cabbagetown is worth.

\$10 billion tax deficit

This same pattern holds true across Canada. The more populated urban centres have less political clout than the sparsely populated rural areas. So when the time comes to divide up the money in Ottawa, the MPs from rural and small town Canada easily outvote those from Toronto, Montreal, Vancouver and Calgary. Exactly the same thing applies provincially. In fact, every year, Toronto pays \$10 billion more in taxes than it

gets back in services from the Ontario and Federal governments. That's \$4,000 per year for every man, woman and child in our city.

If we got back only 10 percent of that money, we could afford to make the TTC free. (That would certainly stop assaults on our members related to fare disputes.)

Bob Kinnear
President/Business Agent



But we're not advocating free TTC. We simply want a fair and reasonable share of our taxes returned to us so that we can better operate, maintain and expand our public transit system, which has been tragically neglected in the last two decades.

Starving public transit in Toronto doesn't just hurt the people of Toronto, it also hurts those in rural Canada who think they are benefiting from the tax imbalance. Whether he knows it or not, a potato farmer in Prince Edward Island is connected in many ways to Toronto's economy, from the banks and insurers and food corporation head offices located here, right down to the marketing, distribution and retailing companies that bring those potatoes

to our kitchen tables and restaurants. A single McDonald's restaurant in downtown Toronto dishes out a substantial part of the average PEI potato farmer's annual crop.

Transit is critical

If Toronto becomes a less desirable place to locate business because, among other things, the transportation infrastructure is deteriorating (which has been happening), the effects will reverberate across Canada. Or if Toronto becomes a less desirable place to live and raise a family because of the daily traffic mess, the growing air pollution and the sheer hassle of getting from point A to point B, then young, energetic and talented people will go elsewhere and businesses that need them will follow them.

The rest of Canada loves to hate Toronto but the country as a whole would be poorer without us. And Toronto cannot sustain its growth and economic vitality unless massive new investments are made in public transit in the years to come. That's why I believe our union has to play a leading role in the political struggle to get the provincial and federal governments to give back some of the tax money we shell out every year and dedicate it to transit. Sure it will benefit our members, but it will benefit others in Canada just as much, if not more.

on_{THE}
move

February 2006

Editor-in-Chief Rick Hughes

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ATU must lead the way on transit funding crisis

For many years I have been chiefly concerned with the economy of this union – using our resources as wisely as possible to protect and expand the rights and needs of our members. But each of us is more than a union member. We, and our families, are part of the larger social and economic environment. No matter how well the union works for you, it cannot protect you from the consequences of short-sighted political and economic thinking by governments at all levels.

The city of Toronto, including the sprawling region that surrounds it, is at a crossroads on the central issue of transportation. For well over a decade, our public transit system has been neglected by politicians who can barely see past next week, let alone next year. They focus on staying in power rather than in building a legacy that future generations will thank them for. They have learned the art of promising

without delivering. They count on voters with short memories and, unfortunately, there seems to be no shortage of those.

But the time for empty promises on transit is over. In fact, even if the federal and provincial governments delivered on 100 per cent of their promises, it would not be enough to meet the needs of a city and region that is expected to double in population over the next 30 years.

Our prosperity depends to a large degree on the efficient movement of people and goods. But when more and more cars clog the roads, it not only slows down the movement of people, it also slows down the movement of goods. It even slows down the transit vehicles that must share those roads, penalizing the people who use the most efficient way to get around.

There is a great economic and personal cost to this slowness. People have

Les Moore
Secretary Treasurer



to get up earlier to get to work and take longer getting home, taking time away from families and other aspects of quality of life. And the extra time needed to move goods around has to be paid for somehow. On top of these are the environmental costs, which are huge and growing.

For all these reasons, I fully support our President's vision that Local 113 must become a leading public advocate for massive new investments by governments in public transit in Toronto. It will be good for our members and even better for the society they and their families live in.

Your most important asset is your pension plan

Pension Plans, the world over, are consistently under attack. Great Britain has fairly decimated the Defined Benefit (DB) Plan. As has Canada, which has reduced the DB Plan from 48% down to 36%. This puts those outside of the structured Plan in a perilous position. Those Pensioners are at the whim of market returns, be what they may.

In other words, those Pensioners who are not within the realm of the Defined Benefit Plan are losing *BIG TIME*. Now, there is a cognitive reason for the aforementioned change to a Defined Benefit Plan. The Plans have over-spent. They are now playing catch-up and their members are contributing MORE and getting LESS.

The TTC Defined Benefit Pension Plan

has acted in a conservative fashion and has approved Benefit Improvements, ONLY when they were affordable. Our ten money managers have followed sound Security Selection and Fixed-Income Principles in order to guarantee acceptable returns within an unstable market and in order to manage Security risk.

We are consistently looking at new ways to enhance our returns, and more recently, have given serious consideration to hiring two Hedge Fund Managers. Those Hedge Fund Managers could, amongst other things, add profit on the direction in market prices of currencies, commodities, equities and Fixed-Income Securities. There is an intense interest in reviewing and researching those

Paul McLaughlin
Executive Vice President



Alternative Management Styles (AMS). Your Pension Fund Society Directors are committed to protecting YOUR Pension Fund and are working in unison to enhance the returns on investments, while at the same time, always remaining aware of our increasing Liabilities.

Our current Liabilities include, but are not limited to, 5,700 Pensioners.

The Pension Contributions ALONE do not meet our Liabilities.

R-E-S-P-E-C-T

And now, at last, the respect we deserve is being afforded to us. This Labour Day, September 4th, Local 113 filled the streets with members and kids. Our band – The Ernie Grimes Band – rocked the Casbah, or at least rattled the windows on both sides of Queen Street from the 53-foot trailer decorated in our colours. Our members and their families should be justifiably proud of the effort of which, they were a large part.

It wasn't always easy. It was a long walk on a hot day but they truly did us proud and we thank them. We are also very grateful for the hard work of our many volunteers. We could not have pulled it off without your assistance. Thank you, thank you all very much. Special thanks go out to Lorne Wall who drove the tractor-trailer and to the staff of the Four Seasons Sheraton Hotel, who made some of the process effortless. We really do MOVE TORONTO, with help from our friends.

We are also grateful for the help and cooperation of PENSKE truck rental and Extra-Lease Trailers who stepped up to fill the void when TTC could not accommodate our request for a tractor-trailer. We led the parade in grand style and I, for one, am amazed that we were able to put it all together, within a few short days, when prior arrangements fell through.

After all was said and done, I went home at the end of the third very long day in a row, tuned in to the television news and was initially astounded by the trivial amount of media coverage we received. I know that cameras were trained on our group throughout the march. On television, I saw only our lead banner – once! Then the full impact hit me – this was deliberate! We were shunned by the media, who had miles of excellent footage, for a reason. They are afraid of us! This Union has become so powerful and influential, that the media is now editing out our amazing performance in the

Labour Day Parade!

It is not every day that over 2000 members show up to march in unison with their friends, spouses and children – for labour. Owners of newspapers and television stations, who have to contend with their own unionized workforces, must

This Union has become so powerful and influential, that the media is now editing out our amazing performance in the Labour Day Parade!

be really disturbed by the prospect of a strong united labour union.

Their concern is our strength. How do you spell success? We spell it: R – E – S – P – E – C – T.

Better Late Than Never

This issue of *On The Move* was written and ready to go to press in mid-September but was pulled by President/Business Agent Bob Kinnear and the rest of the Executive Board because of the impending Local 113 election. They felt that going ahead with the publication might give unfair exposure to the incumbents (including themselves) whose names, pictures and articles would appear in this issue.

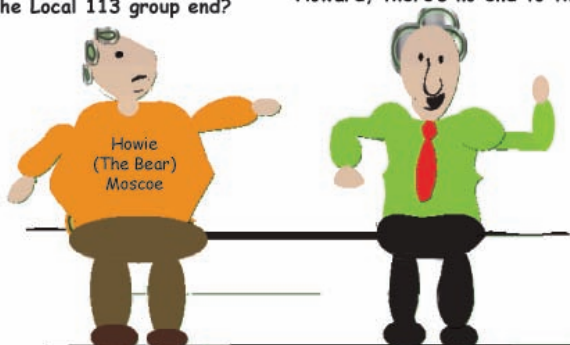
This publication is the same as it would have appeared in late September, with the exception of the announcement of the Local 113 Halloween Party (a great success!) and an article urging our members to vote in the November 13 Municipal Election.

Even though it is late in coming, the articles and pictures herein remain relevant and form part of our union's proud history of 107 years – and counting.

A full report on the Local's election and other matters of interest and concern to our members will be published in the Spring 2007 issue.

Thanks for your patience.

Mayor Miller, when does the Local 113 group end? Howard, there's no end to these guys!



Reviewing Stand Labour Day Parade

Confused at Membership Meetings? Read This.

Tiss Clark, Badge # 51355 of Wheel-Trans, accepted an assignment to write about Union Meeting Procedures, what follows is a well written piece - Ed.

“How to conduct yourself in a meeting” automatically raises to me the idea of how not to conduct yourself in a meeting. For some, the word conduct itself inspires resistance to order. When I was asked to explore this topic for the newsletter, I told myself, “I don’t understand meetings half the time myself; never mind explaining it to anyone else!”

To many of us, a union meeting and its process sounds far removed from regular life. Sometimes a person says: “Yeah, I went once, but it was a waste of time.” What does that really mean? That they didn’t get

heard? Did they not like what they saw? What are Robert’s Rules anyways? In the spirit of sharing my own exploration, I felt I could attempt to describe what to expect from a meeting, if only a surface impression. The meeting rules, named after a certain General Henry M. Robert, are a system of parliamentary procedures used by our union and others outlining the conduct of meetings. While comprehensible, it is very dry reading. And so I offer a briefer version of the meeting process.

What are meetings about? What goes on? At the request of the President (who acts as the Chairman), the meeting begins by remembering all those on the job who have passed on. Some hang their heads; all remain silent for a minute. Then the

hammer rings on the table, signaling the continuation of the meeting.

The Secretary takes the roll of the Executive Board and then reads the Minutes of the previous meeting. Occasionally, on a motion from the floor, the Minutes are accepted as if read, and if the motion passes, the meeting moves on to the next “Order of Business.”

1) Then we have the first reading of new motions, or ‘notices of motions.’ They are just what they say – notifying people of your idea for action. Members read them at the mike and then hand them to the Secretary, who records them. If legal, they are posted in the division for next month’s meeting.

(continued on page 15)

Haven’t got time for the pain?

Hey Everybody, Dr. Nick is here with some good advice for those of you who suffer from chronic pain problems.

Quit whining! Nobody wants to hear about your sore back or aching feet, and if they do, it’s only because they think they hurt even more than you do. Pain is just your body’s way of telling you to stop doing whatever you are doing that is hurting you. A patient came to see me and said: “Dr. Nick, it hurts when I walk too fast.” I told her to walk slower, or take a taxi-cab. It worked!

Sometimes you can do more damage to yourself psychologically from the fear of pain, than you will suffer physically from the pain itself. Another patient of mine complained that he couldn’t walk very far, and in the end it was true. Because he never tried, he lost the ability.

There are lots of Doctors around who will give you many prescriptions for pain. Many of these pain killers are narcotic and addictive and should be avoided whenever possible. Percodan and the baby version Percocet, ought to be used for intense pain of short duration, like a broken tooth or a stab wound. If the pain you suffer is continuous or lasts a long time, you should not be using these kinds of drugs. Sometimes the best drug is not a drug at all. There are many pain management clinics that can teach you to control your pain the way football players do: by sucking it up and getting back out on the field!

Another type of drug that is often used to relieve pain is called NSAIDS. This stands for NON STEROIDAL ANTI-INFLAMATORY DRUGS. Aspirin, Tylenol, Ibuprophen and others are in this family. If you use these, you should avoid alcohol unless you want your

stomach to bleed. Many of these NSAIDS also contain CODEINE, which can make you drowsy and may cause constipation. Good luck with that.

There are also many herbal remedies available over-the-counter, and in the alley behind the pool hall. The problem with herbs is they either don’t work at all, or they work too well. You need

to control your pain, not chop off your fingers and laugh about it because you have the giggles and the munchies at the same time.

There are many things that chronic pain sufferers can try to relieve their symptoms but relief is not a cure. Proper rest, hydration and a limited intake of doctor-prescribed drugs may help in the short term. But for long-term relief of chronic pain nothing works better than finding someone else in even worse shape than you. Sure, sometimes it hurts to breathe, but the alternative – not breathing – may be worse! Now, go and watch some drug commercials on TV.

(Note: Dr. Nick is not a real doctor. Follow your doctor’s advice)



LABOUR DAY PARADE





Labour Day 2006 provided our Local Union with the opportunity to show once again that we are a leading force for Labour in our city. This year we included a tractor-trailer float and featured the music of the Ernie Grimes Band. Ernie, who is an Operator at Eglinton Division, was the winner of the 2005 TTC/United Way Idol competition. The inclusion of the band was well received by members participating in the march, which began at 10:00 a.m. promptly and finished at the CNE Western Entrance at 12:45 p.m. Local 113 has participated in this parade since the Local was founded in 1899 and this year we exceeded our expectations when the largest crowd ever came out and marched in support of Labour. For those of you who missed the parade, there will be a DVD available in a month or so, which will enable you to get a real sense of the spirit of the occasion. Many participants will also be interested in obtaining a copy of this slide presentation when it is available. There will also be a CD of all of the photographic images available, which will enable participants and others to obtain prints of themselves and/or their friends in action. Contact R. Hughes at the Union office for information on expected delivery dates for the above items. Thanks to all who volunteered to help with the effort - we could not have done it without your help. Thanks to all who participated, we hope you had as much fun being there as we did. We hope to see as many members as possible attend next year's parade, which we will begin planning in March of 2007.

Car and Truck Section 1925 - 2006



Left to right: Phill Horgan, Neil Mulvihill, Angelo Kourlas, Dave Graham, Nick Bournias, Tony Garito, Vince Picchiello, Dan DiMarco, Armando Aversa, Tom Power, Zoltan Kmetz, Charlie Bennett and kneeling is Mike Phillips (absent Errol Golding).

By R. Hughes with notes from
V. Picchiello

May 12th, 2006 marked the last day at Duncan Shops for the Non-Revenue's Car and Truck Section. For the past seven years, Local 113 has battled with TTC management over the future of this group, which originated at the Davenport Garage in 1925. In 1947, the expanding fleet began to be serviced at the new Parkdale Garage where it remained until the opening of Duncan Shops in 1985. From then until now, the talented crews have been servicing all manner of non-revenue vehicles and equipment from lawnmowers to garbage trucks, from front-end loaders to cement mixers, some 400 vehicles and equipment including 131 trucks and security and transit cabs, mini-vans, cube vans and pick-ups.

In 1999, long-time foreman Fred Grossi suddenly passed away and the shop continued to operate uninterrupted with only a lead-hand and a single clerk for about six months until a new foreman, Jim Jackson, was appointed. Mr. Jackson's greatest asset is his previous work experience in a 'Contracting-Out' environment. Soon thereafter, TTC management hires another pro-'Contracting-Out' Assistant Superintendent in Ron Baird and the wheels are now in motion - for Outsourcing.

The first attempt, in 2001, involved the picking-up of a forklift for 'outside' servicing. All of the dedicated union brothers in the shop halted work, even when threatened with dismissal, and eventually called in Local 113 Officers who negotiated that the vehicle would remain on the property.

This minor victory was short-lived however, as management took advantage of weak wording in the Collective Agreement to continue to contract-out maintenance of forklifts and sweepers until a grievance filed in 2002 resulted in an arbitration award in 2004 that restored the work to the section on the basis that the TTC had "failed to comply with the process" required by the Collective Agreement.

The company continued to send out work despite the arbitrator's award until the situation came to a head in 2004 in conjunction with the Davenport Gate closure. In the wake of a walkout, the Ministry of Labour directed that all forklifts and sweepers be returned to the section for servicing by Local 113 members within one week or the TTC would face stiff penalties. When



this was done, the result was three additional jobs in the section. Unfortunately, the balance of the order allowed for the TTC to follow the proper procedure to divide the section by opening another facility to repair light-duty trucks and cars at Lakeshore Garage and transfer some of the workers to the new location. We are still unsure if this move is vengeance or continuing mismanagement as only time will tell. At the send-off luncheon, we bid farewell to our co-workers by wearing T-shirts that read “Divided but not Defeated” and “A Crew Born to Hang.”



We are proud of being involved with a group of guys who stuck up for each other, confronted management and never gave up their fight. We showed solidarity and the strength that comes from unity.

All in a day's work



Congratulations to the team from McCowan Carhouse, winners of the TTC Rail Maintenance Rodeo for 2006. Pictured here with their trophy, the three winners were preparing to depart for New York City to compete in the Second Annual American Public Transportation Association Rail Rodeo, along with representatives from Wilson Subway Transportation and Bloor/Danforth/SRT Transportation.

ATU newspaper ad shines light on assault issue

It was the most controversial ad in Toronto in years and had a major impact on the city's awareness of the problem of Operator assaults. On Wednesday, May 31, ATU Local 113 ran a full-page ad in the Toronto Star and the Toronto Sun that told the story of Bobby Lowe, who had been viciously assaulted in 2004 in the middle of the day over an invalid transfer and lost nine months from work. He received no WSIB payments for five months and, as a result, lost his car, his apartment, and his family. By the time his payments were restored, it was too late. Eventually, he returned to modified work.



“The ad is factual, we stand by it,” Frank Grimaldi told the media after Bobby Lowe’s meeting with Howard Moscoe, who had called Lowe “a liar.” Moscoe later retracted the remark.

Lowe’s story was used to explain why, one week previously, President Bob Kinnear told the media that ATU members “will no longer engage in fare disputes with customers.” The ad was the top story on the evening television news. The next day, the Sun even reprinted the ad

as part of its coverage of the Bobby Lowe story.

The TTC reacted badly to the ad. Howard Moscoe publicly called Bobby Lowe “a liar” over the details of his story. The next day, Lowe and his Executive Board member, Frank Grimaldi, stormed to City Hall to confront Moscoe over his slander. Lowe presented Moscoe with documentation proving his story. In front of television cameras, Moscoe tried to say that he had never called Lowe a liar but a reporter said he had a recording of him saying just that.

Moscoe then admitted: “I was wrong.” Grimaldi was also challenged on the ad but held firm: “The ad is factual, we stand by it,” he told reporters.

The story of Bobby Lowe’s assault and the union’s challenge to Moscoe, Miller and Ducharme – “Do Operators, like Bobby, have to engage in fare disputes with customers?” – caused a sensation in the Toronto media.

Bobby Lowe's DILEMMA

One afternoon, an hour before his shift ended, 18-year veteran TTC Bus Operator Bobby Lowe publicly said to a boarding passenger: "Leave me in, this transfer is invalid!" Moments later, he was repeatedly punched on the face, dropped off the bus, beat, hit and stomped on by two men while the passengers fled. He spent five days in hospital. The surgery on his knee could not prevent a permanent disability. Because he was forced to go on 90% leave, his income dropped significantly. Months later, even though the TTC cover doctor said he could not return to work, Bobby was not off 90% leave.

When his income for months, he said his family were evicted from their apartment. His full apartment in several painful and permanent ways. Eventually, because his union went to bat for him, Bobby got his job back.

Bobby Lowe could not possibly have predicted that his public fare enforcement would lead to a violent and disabling assault. He now thinks, as do the other men and women who take more trips on the TTC, "What is no longer worth the risk you engage in fare disputes with customers."

What Do Bobby's Bosses And His Mayor Think?

TTC Chief Revenue Officer has threatened that there will be "consequences" for drivers, like Bobby, who do not refuse fares. But he refuses to say whether it is a requirement of Bobby's job to be engaged in fare disputes – such as publicly confronting an invalid transfer.

Mayor David Miller says that Operators like Bobby should be "stronger." But the Mayor's definition of "stronger" is not to say that Bobby's job includes, as a condition of his employment, that he must engage customers in fare disputes. Why not? The Mayor has more questions? Surely not a Bobby job!

TTC Chief General Manager Rick Ducharme, whose 100th anniversary is only a year away, says, "I would think a small number of Operators like Bobby are entitled to get paid during their recovery." TTC management staff, Ducharme included, get full pay if they're off sick for any reason, 24 hours, for example.

You're tired of being assaulted, harassed and abused by a small but growing number of passengers? Join the dozens of other TTC workers who will no longer engage in fare disputes with customers. We will be bringing you a new way of working for \$2.75. And it's outrageous to financially penalize TTC workers and their families who are attacked on the job. We ask the people of Toronto for their support on this!

Bob Kinnear, President, Transit Workers Union Local 113

WeMoveToronto.ca



President/Business Agent **Bob Kinnear** addressed the Annual Fire Fighters' Association Awards banquet and luncheon held at the Sheraton Centre in Toronto on April 28, 2006. A commemorative plaque from ATU 113 was presented to four members of Rescue 134 D Platoon who assisted seven TTC track workers overcome by carbon monoxide fumes in the subway poisoning incident of February 7, 2006. Also present at the luncheon was **Deputy Mayor Mike Feldman** and **MPP Monte Kwinter** as well as the Executive Officers of TPFPA Local 3888. Prior to the Harris government's forced amalgamation of Metro Toronto Fire Services, the local used to be known as Local 113, a fact noted by the local's president, **Scott Marks**. Kinnear presented the plaque to **Captain James Hart** and firefighters **Terry Stewart, Mark Thornhill** and **Derrick Cherun**. He expressed the gratitude of ATU Local 113 for the crew, who selflessly placed their own lives at risk by using their own air supplies to resuscitate our members, who might not have otherwise survived the incident.



ATU reaches out to Katrina victims

Willie Simms, President/Business Agent of ATU Local 1560, New Orleans, LA attended the Local 113 General Membership Meeting on Sunday April 23rd, 2006. Brother Simms was warmly welcomed by the members in attendance, all of whom were impressed by his accounts of the devastation wrought by Hurricane Katrina last year in the 'Big Easy'. Simms spoke eloquently of the



harrowing experience of losing one's home and occupation in the space of a few days and of the difficulties facing our Brothers and Sisters in New Orleans as they struggled to survive against tremendous odds. He detailed the horrors of the Superdome and lamented the failure of all levels of government to adequately address the needs of its

citizens. Brother Simms expressed the heartfelt gratitude of his membership for the financial and moral support of the Officers and members of Local 113. When responding to questions from the floor, Simms was diplomatic when discussing the extent of the blame for the delay in providing assistance to the people of Louisiana. He said that there was plenty of guilt to be shared by all. Only the Amalgamated Transit Union was quick to respond, Simms noted. Contact was made with the Local in New Orleans within days and assistance received in a few weeks. There can be no doubt that the International Officers acted quickly and decisively in setting up the Hurricane Katrina Disaster Relief Fund.

Brother Simms indicated that much rebuilding work still remains to be done but that he and all the citizens of New Orleans are determined to return that majestic and historic city to its former glory.

Stories and photos by Rick Hughes



One helluva storm

Hurricane Katrina was the costliest and one of the deadliest hurricanes in the history of the United States. It was the sixth-strongest Atlantic hurricane ever recorded and the third-strongest landfalling U.S. hurricane ever recorded. The storm killed at least 1,836 people and is estimated to be responsible for \$81.2 billion (US) in damages, making it the costliest natural disaster in U.S. history. Public transit was hit hard. A year after Killer Katrina, the New Orleans Transit system was still in tatters. Only 17% of buses are operational. Although 49% of routes were being served, service was spotty. Only about 20,000 rides a day were being clocked, less than half the number carried in one day on Toronto's Dufferin bus alone.

ATU member stops abduction

Karen Bass, Badge # 51596, of Subway Janitors was honoured by the family of young De-Jon Madurie, the object of a province-wide Amber Alert when he went missing at the Albion Mall on Saturday April 21st, 2006. At a meeting with the family that took place at Toronto Police Services Division 23 on Saturday April 29th, Karen was on the receiving end of many grateful hugs from De-Jon's family. Executive Board Member Bill Chrisp, also on hand for the meeting, commented on the great pride Local 113 takes in having our members recognized for their contributions to the community. He was effusive in his praise of Karen's quick thinking and immediate action, when she observed De-Jon at Wilson Station on Sunday April 22nd arguing with a woman.

Karen recognized De-Jon from the description of his clothing she had heard on television the night before and immediately contacted Transit Control, setting in motion his eventual recovery and return to his grateful family.

"Despite the fact that she had only been sent to Wilson Station for one day in place of someone who had booked off sick, she had the presence of mind to act on her observation of an unusual situation," Chrisp said.

Karen was presented with a large floral arrangement and handsome vanity set including a picture of De-Jon in a silver frame. She brought a gift for De-Jon, a toy truck that he warily accepted.

"De-Jon is a little bit shy right now," said his mom Tamika. "But we think he will recover in time."

Afterwards, Bill Chrisp and fellow Board Member Rick Hughes spoke to Karen about the concerns we all shared with respect to the Commission's short-sighted attempt to downsize and restructure the janitors' section. In circumstances such as De-Jon Madurie found himself, the result of not having Karen Bass present at Wilson Station that Sunday could have been tragic.



Board member Bill Chrisp (Plant Maintenance) spoke of the pride Local 113 takes in our members' service to the community.



Bob Kinnear congratulates Karen, who was overwhelmed by all the publicity she received.



L-R: De-Jon's mother, Tamika Madurie, Karen Bass, the boy's grandmother Sharon Green, his great-aunt Herickia Hanstock, and his godmother Tracey Thomas.

So, who's your daddy now?

Management has no obligation to exercise its rights reasonably or with compassion for employees. This must change.

As usual, the TTC wants to throw its weight around and show us who's boss. Management has been attempting for years to realign all of the jobs in the Plant Department on the basis of a "business decision."

They claimed that making the changes they had in mind would save around a million dollars a year. It has probably cost them that figure six times over so far with no end in sight. Absenteeism is skyrocketing, they are far behind in training, and the morale of the workers in the Plant Department is at an all-time low.

No doubt the changes looked better on paper than the results are showing, but the cost in human terms and lost 'goodwill' is enormous. Our members rely upon their Union to protect their interests and we do that to the best of our ability each and every day. Our members deserve to know why we were, despite strenuous efforts, unable to stop this freight-train from rolling over them.

It is a common misconception that unions were legalized by the initial passage of the *Labour Relations Act*. The fact is that the right to freely associate for common purposes was only sanctioned with the passing of the Canadian Charter of Rights and Freedoms.

So, if the *Labour Relations Act* was not passed to legitimize unions, what was its purpose? The sad truth is that the *Labour Relations Act*, which replaced the *Master and Servant Act*, was passed to control unions. And this is why every collective agreement in Ontario still contains a section called "Management Rights." All employers have a right to manage their business, to hire, fire,

promote, demote, assign, re-assign and schedule work to suit their needs. And these rights are absolute except where they are specifically set aside by the collective agreement.

Work must continue, even when it's wrong, because the law requires us to "work first and grieve later." It does not seem fair but it's what we have to deal with each and every day. The only exception to this rule is where there is no remedy available that would make the worker whole after the fact.

For example, a worker requests permission to leave work to attend the deathbed of a relative and permission is denied. The worker leaves anyway and is later fired for leaving. If he had worked first and grieved later there is no amount of money that would make it possible for him to have attended the hospital in time. In such circumstances, arbitrators have ruled that the requirement to work first and grieve later should be set aside.

However, that sort of latitude has never been applied in the case of a number of workers acting together. Any action taken by more than one worker has, until now, been considered "in concert."

The implication of that thinking is that any time that a number of workers, acting "in concert" disrupt the workplace or withhold

their services, they are participating in an illegal strike. Collective agreements in Ontario must also contain a "No Strike or Lockout" clause.

That is why the Commission has filed a suit against this Union seeking \$3,000,000 in damages. They believe that the action taken on May 29, 2006 was directed by the Executive Board



May 29, 2006 was the first system-wide wildcat strike in TTC history. Membership frustration over the Plant Sign up and other issues boiled over into the streets. The Labour Board and the Courts ordered the union back to work that same day but the issues still remain.

Photograph by Steve Russell/Toronto Star

of this Local Union. That is simply not true. While we will defend the rights of our members and support their worthy cause, we did not at any time direct or encourage them to act in violation of the collective agreement or the law. At the end of the hearings on this matter, we are confident that we will be found innocent of this accusation.

We did, however, attempt to warn TTC management that their ill-considered actions in unilaterally imposing a Master Sign-up might have disastrous consequences. We felt that it was our duty to do so, knowing the level of frustration and unrest in that department. We believed then, as we do now, that management is completely out-of-touch with their workers. Apparently, we were correct in our assessment of the situation.

While we are concerned that some of our members would find it necessary to set up unsanctioned picket lines and shut down TTC service for a day, we are also exceedingly pleased that it was done peacefully, and that all of our members in every department were united in not crossing the lines. Our members demonstrated beyond any doubt that "United We Stand - Divided We Fall". We are proud of their efforts. And what have been the consequences that we warned might happen?

Rick Ducharme, has resigned and is no longer the Chief General Manager of the TTC.

The Interim CGM, Gary Webster, reluctantly agreed to re-do the Plant Master Sign-up in accordance with

Union Seniority Rules but adamantly refused to address the need to return some of the shifts to days with weekends off.

Many of our members in the Plant Department are now faced with the need to make new and difficult choices in terms of their personal lives. Good workers like Doreen Shaw, (see page 14) or Karen Bass (see page 11) may not be able to find adequate or affordable child-care. They may lose their homes or have to move elsewhere. They may even be forced to quit their jobs!

The atmosphere in labour- management relations has been poisoned to the extent that even the simplest dealings, like the usually cooperative United Way Campaign, have now been called into question.

So where do we go from here? It would appear that TTC Chair Howard Moscoe, who has once again dodged a bullet, may not be seeking another term as Commission Chair. We will probably be dealing with the current Vice-Chair Adam Giambrone. It seems likely that Mayor David Miller will be re-elected in November's municipal election. We do not yet know if Gary Webster will be made permanent or if there will be a new CGM appointed. Regardless of the players, this Union Executive is committed to repairing the damage done at the bargaining table in 2008. The TTC must realize that the exercise of Management's Rights ought to be limited by reason and even compassion.

In a recent case heard before the Ontario Labour Relations Board, an Arbitrator ruled that even though the Company involved had acted unreasonably in the circumstances, he had to rule in their favour because there was no requirement under the management rights clause of the collective agreement for management to behave in a reasonable manner! Our collective agreement is no better in this respect than that one. There is no requirement for TTC management to manage reasonably, compassionately or even wisely. If we are to continue to represent our members to the best of our ability, that simply has to change. Our members, by their action on May 29th, 2006, have given us clear direction that they prefer to be regarded as partners, **not peasants**.

Absolute, dictatorial control of scheduling of work without regard to consequences can no longer be ceded to management. They cannot be trusted to treat their employees like human beings. The anachronistic notion that they are masters and we are servants needs to pass into history and we must become partners in this enterprise – or perish!

Sorry, Russell

On the back page of our first issue, we incorrectly identified Russell Hines of Subway Janitors as Neville Hines. Don't know how that happened, but we apologize for the error.



Life Memberships in ATU Local 113 were presented to recently-retired members at the October General Meeting

Paying the price of “efficiency”

By Rick Hughes and Bill

Doreen Shaw was born in to a well-to-do family in Kingston, Jamaica and left from Montego Bay in 1979 to join her mother, who was relocating from Paddington, England to Canada. Doreen’s mom passed away in 1988 while Doreen was attending George Brown College. She married in May of 1991 and started working full-time at the TTC in 1993. Doreen laughs and says that “bad things happen to me in May.” She suffered a workplace injury in 1994 while working as a carhouse cleaner at Greenwood Yard. After several lay-offs and placements she eventually returned to the carhouse cleaner position at Wilson from Subway Janitors in 1996.

Throughout her first ten years as a TTC employee, Doreen worked the night shift while her husband worked for a lumber yard in Maple and later in Brampton. Doreen has been affected by many bumps and when her husband passed away in 2001, followed by the death of her father a few weeks later, she began life as a single mom. After brief stops in Subway Janitors and a failed bid for a Surface janitor position at Duncan Shop, Doreen was happy to obtain a surface janitor’s position at Eglinton Division in 2005, where she continued to experience chemical-related health problems.

Doreen believed that her problems were behind her when, shortly before the imposed master sign-up in the Plant Department, she was able to obtain what she was told would be a permanent position on a swing day job in Surface Janitors at Queensway and Roncesvalles Divisions. Doreen decided to locate in Stayner, where house prices were lower and day-care for her son, Sheldon, was available and affordable. Then the Plant Master Sign-up occurred and now everything is upset. There was no day job available for



Doreen Shaw, widowed single mother and her seven-year-old Sheldon. Victims of TTC management’s “efficiency” drive?

Doreen to sign up for and she is currently working a 3 pm to 11 pm shift at Wilson Division. Day shift jobs in Surface Janitors became scarce when the Company decided to change many of the shifts in other jobs to a ‘sunset’ shift.

Even with more than 10 years’ seniority, Doreen is now finding her life turned upside-down. How can she possibly find day-care in Stayner between 2 pm and 1 am? She needs an answer because the deal on the new house closes in October. Sheldon is seven years’ old. Will the TTC save money by instituting the changes that they say they need? What consideration did management show in assessing the costs in “human terms”? How did this happen? Doreen Shaw should not have to face the choices confronting her now. We believe that her story must be told.

“The morale crisis is getting worse by the week”

On May 17, two weeks before the wildcat strike, Bob Kinnear warned a meeting of the Toronto Transit Commission on the growing employee morale crisis, urging them to stop the Plant Master Signup. They didn’t. Here’s what he said:

“The Plant sign up went ahead on May 8. Even if you once thought management’s plan was brilliant, the reality is that it is a complete flop. And the flop will become a disaster unless it is stopped now. Only 32 signed up. And of those 32, twenty have since called their union board member to apologize, saying they didn’t understand the issue and wished they had not participated. You’ve still got a dozen people on management’s side. Good luck with that.”

“When Mr. Ducharme said on television that “there are two sides” to the Operator assaults issue, he sent a powerful signal to our members, and it wasn’t a positive one. I ask Mr. Ducharme right now: Name some Operators who have attacked passengers without provocation. And do you know how many Operators have been assaulted by passengers last year? How about last month? Last week?”

“Let’s try to make the labour-management relationship better. The union will respond to any and all genuine efforts of management to do so as well.

The way to start is to stop the Plant Department signup as a gesture that you are willing to listen to your employees. It will be an important first step. I urge you to take it.”

Confused at Membership Meetings? Read This.

(Continued from page 5)

2) The motions which were read aloud at the last meeting are brought forward to be dealt with for a second reading. The board announces whether they recommend passing the motion or not; and then there is the opportunity for discussion. The motions are then voted on by the membership. It should be noted the vote, when taken, is to sanction the recommendation of the Executive Board, either by “concurrence” (agreement with) or “non-concurrence” (disagreement with). Therefore, if you like the motion but the Board has moved non-concurrence, then you should vote ‘nay’, or *against* the recommendation of the board.

I’ve seen people go up to the microphone, and say, “Call the question”. This ends (or limits) the discussion. Someone can add what’s called “a point of information”, to bring light to the issue; or, “a point of order”, which is anything to do with the context of the meeting. Anybody can raise these.

When you want to bring your motion forward, you come to the mike and address the chairman by saying: “I’d like to move that...” This can happen under New Business or Unfinished Business. Once moved, someone else needs to ‘second’ your motion for it to be valid. Then everyone discusses it. You cannot do any other business until that motion is voted on. It’s a good idea, although not always necessary, to write it down, and hand it to the Secretary, who then records it.

As a particular feature of Robert’s Rules, all questions and comments from the floor are addressed directly to the Chairman, to help maintain order. Respecting the power of the Chair is a key feature of the meeting process. When everyone has finished discussing the motion there’s a vote. Everyone in favour says ‘yea’, and everyone against says ‘nay’. Then the President, says, “Carried”, or, “Defeated” based on the numbers, and bangs the hammer.

Sometimes I think: “Wait, how can you tell which yea or nay side had more numbers in a vote? What about when you’re not quite sure?”

If it is not clear, then anyone can stand up and ask for a ‘standing vote’.

This involves everyone who said yea to stand up and be counted. Then the nays stand up and are counted by the ‘counting committee’, and the results are announced. Everything in the union gets voted on at the meetings.

The ‘secret ballot’ is when there are issues of a sensitive nature to address. In this situation, everyone gets in line to vote on the issue, passing by a big table to put their vote in a ballot box

3) Then we have committee reports: the women’s committee, the skilled trade committee or whoever had business during that month, such as an ad hoc committees like the social, Labour Day, or strike committee.

Attend Meetings Regularly

4) Next are Nominations and Elections, if any.

5) Then the executive board members go through their reports. Members may ask questions on what has been reported only. Subjects not reported on must be considered under ‘unfinished’ if previously discussed at a meeting, or ‘new’ business if not previously discussed.

6) “Unfinished business” is business that’s been spoken of at a previous meeting. What are typical topics of new and unfinished business? A member’s case; the master sign-up in plant; board member allowances, and so on. If there are any motions to be made on the issue at hand people can get up and make them.

7) Then “New Business”: anything that has not come up before.

8) Finally, somebody makes a motion to adjourn the meeting, and that’s it until

next time, unless you wish to keep talking in the parking lot.

Sometimes topics come up that you’d really like more information on, and you think, “Can we just stop the meeting so you can tell me what this is all about?” But it’s not always easy to ask questions. Who wants to admit that they’re lost? Whispering to your neighbour may help, but it is really annoying, even if a lot of us do it, including myself. Otherwise, how do you understand, and feel like you’re not just as a bystander? I often need time to think about these things before I vote on them.

If more of us ask questions, then it won’t seem so unusual. You can ask a question at any time during the meeting, by going up to the mike. You can also corner someone after the meeting, and ask them. Talk to folks who are from different sections. You can ask your shop steward, or your board member. We all have to start somewhere.

What if you have an idea or concern that you want to share at the meeting?

How do you see it followed up?

It’s always about the groundwork. Talk about it with any members in your division, to see what they think. Talk with your shop steward and board member, to help work out any obstacles. He or she can tell you which committee it might belong to first, and direct you there. Ideally, it’s also important to talk it up informally the preceding meeting, so people have time to think it over.

So there you have it: the painfully small amount I understand so far about the union meeting process. I invite you to meet and look over these Robert’s Rules and see if we can figure anything else out. I think the key for all of us, no matter whether it’s our first union meeting or our 500th, is to listen and ask questions. *We can’t go wrong.*

Tiss Clark
51355

Thanks to brothers Phil Horgan, Rick Hughes and Les Moore as sources for this article.

PENSIONERS' PARTY



**The North Toronto
Community Centre on
Eglinton West was once
again the setting for an
hours-long party of more
than 1,000 TTC Pensioners.
The parties are held in May.
All pensioners are welcome.**







James Boyle
Birchmount/Malvern Divisions

It is of great concern to me, the other members of the Executive Board and to your fellow Union brothers and sisters when any disagreement between co-workers is referred to TTC management for resolution. It has been my experience that management generally prefers to resolve these issues through excessive discipline, occasionally on both persons involved and sometimes loss of employment. Please bring all disputes to the attention of your Shop Stewards or Board Members and give us the opportunity to resolve your issues.

Also at issue is the plainclothes ride-check, and the way that you may be portrayed. Please attempt to drive safely and defensively at all times. As I have said many times, the only reward that you will receive for maintaining unrealistic schedules is discipline.

Remember "United we stand - Divided we fall".



Frank Grimaldi
Arrow Road /Queensway Divisions

What "loyalty"? Over the past 16 years that I have worked for the TTC. or for Transit Workers 113, I have seen little of it. I am wondering why retirees would work so hard against the interests of their own Local. We have several retirees who, even now, seem to be doing whatever they can to disrupt our meetings, criticize our officers, inform other area Locals about our internal business and generally, through their negativity, display little or no loyalty to our members. Why would these same people go to great lengths to help defeat a member of our Local seeking election to the position of Canadian Director of the ATU?

It can only be that these people are so bitter that they will do anything to be noticed, even if it brings harm to their friends and betrays the organization they once served. By their earnest efforts to bring about the defeat of Les Moore at the Canadian Council Conference in Regina in June, they acted against the interests of the active members of Local 113.

Les Moore chose to run for the Canadian Council Director. The Executive Board of Local 113 supported him and the membership voted *unanimously* to direct our delegation to support him. I believe that at least one delegate out of Wilson Division decided to ignore this direction from membership and vote for another candidate. He claims to have voted his conscience and that may be so, but this membership did not

pay to send him to Regina - flight, hotel, expenses and lost time - to vote against their express wishes.

And before saying, "It's only one vote", don't forget the results - Robin West 41, Les Moore 39.

Another former member went public by arranging an interview with the Toronto Sun wherein he claimed to have been banned from the Local by Bob Kinnear. This retiree, who was finally elected Board Member after 30 years, was defeated for President/Business Agent in 2003 and was on the Board at the time that the Local ceased paying per capita for retirees. He claims to have been assuming that there were automatic deductions from his pension cheques but should have known that was not the case at that time. (The current executive negotiated that practice in 2004). If he didn't know, he should have. Was he too cheap to pay the \$48.00 per year for the privilege of remaining a member of the ATU? It is not our President who banned him, but the International Constitution. His fight is with Washington. He would have you believe otherwise.

It is sad that retirees, once respected for their service to this Local, have fallen so far - so fast.

Loyalty is earned, not given or bought.

Some people do not have any - and deserve none in return!



Philip Quibell
Eglinton Bus/Bloor-Danforth Subway, SRT

We have been dealing with a number of cases over the last three years, wherein the employer has characterized a conflict between our member and a patron as workplace violence. Despite all of the posters indicating that the TTC backs up their employees, we are finding that, in practice, the opposite is almost always the case. After all, the workplace should belong to the worker. In this occupation, where we are dealing with thousands of people every day, a certain amount of conflict is inevitable. The best strategies for avoiding or limiting conflict are to maintain distance and obtain time.

Operators and others should attempt to maintain a cushion of space around their work stations. Unwanted intrusions into this space by anyone is sufficient cause for a worker to cease what they are doing, secure their equipment, and seek to re-establish distance and time to deal with the situation in the safest possible manner.

Vehicles are equipped with alarms for a reason. Reason should dictate when an alarm should be used.

When a passenger behaves in a threatening or aggressive

manner, an Operator should secure the vehicle, retreat to a safe location and obtain help. Too many times, our members are disciplined for defending themselves aggressively or because their account of a situation is deemed less credible than a complainant or bystander.



Cosimo Lacaria
Hillcrest Complex

I would like to report by thanking the employees of Duncan and Harvey Shops. Due to my meetings with them and our combined tenacity and determination, I was the first to secure (twice over) the \$5,000 penalty against

the TTC for contracting-out violations. Besides the penalty, the Upholstery section of Harvey Shop and the Car and Truck section of Duncan Shop will have work returned to them, which is paramount. Some issues that the company could easily resolve under fairness, compassion and equality will eventually become a contract issue. The following is an example: In 2002, Lodge 235 Machinists obtained millwrights' wage group 11, as was the case for CUPE Local 2 electricians. I have and will continue to push for equal treatment for Local 113 members. Since 1995, the three groups have received only wage group 10.

In March of 2006, I'm happy to report that I was able to secure the blocking-out of Banking Institution and Branch Location numbers from 10,000 (+) TTC Employees' pay stubs. I would like to thank Ms. Michele Brewer who I worked with to implement my idea for serious security measures in order that all employees' bank accounts are protected.

Exposing wrongdoings of Management including Special Constables, exposing and stopping of contracting-out of our work and protecting our job security, which includes fairness and equality, is IMPORTANT!



Paul Prosser
Roncesvalles, Russell and Wheel-Trans

What are the TTC's most valuable resources and more to the point why do they waste these resources?

Their most valuable resource is you! It's that plain and simple! Without the skills and dedication of our

Brothers and Sisters of Local 113 they can't exist, whether its repairing, cleaning, driving, collecting fares, dispatching, revenue operations, counting passengers, or various clerical

duties. The list goes on and on.

So take a moment and think, why do they waste this resource?

Management should focus on how to run the organization more efficiently. Most managers spend more time thinking about how to discipline or harass Local 113 members, rather than giving them the appreciation they truly deserve!

One could ask: Why are the majority of members fired over minor incidents? Why, when a complaint is received, is the customer always credible and we are not?

Why is a warning not ample for all minor incidents?

Our employer wastes its most valuable resource by making unpleasant work environments!

Perish the thought that they would try to make healthy and happy work environments.

Remember an Employer only gets what it gives... peace or confrontation, and we are well aware it's confrontation as opposed to peace from the TTC.



Rick Hughes
Wilson Bus/Subway

None of the members of this Local Union can dispute the fact that the 2004-2006 Executive Board have worked long and hard in attempting to provide the best possible representation. We did not accomplish

every goal we set out for ourselves, but in saying that, it should be noted that we tried to achieve some exceptional goals. And while doing so, we maintained an 80% average in successfully resolving grievances and arbitrations, which is not an easy thing to do.

Nothing worthwhile is acquired without effort and anyone passing by 812 Wilson Avenue in this term has to have noticed that there are usually cars in the lot. We worked around the clock during contract negotiations in 2005 and if we fell short of getting everything our members expected, it was in part because we set the bar so high. We opened a lot of doors for future improvements in this Collective Agreement.

There is much more work to be done and no lack of willingness to work towards the future will ever be attributed to this Executive Board.

I am proud of what we have accomplished, proud of the people I have worked with and I am looking forward to the challenges ahead. It has been my pleasure to serve you, the members of Wilson Division to the best of my ability.

Once again, I would like to thank the Shop Stewards at

ACROSS THE BOARD

Wilson Bus and Subway for their excellent work and dedication, without which I would be unable to have the luxury of time to edit this magazine, chair the By-Law Committee, or assist the Senior Officers of the Local.



Kevin Morton
Station Collectors, Clerical, Revenue, Wheel-Trans Administrative and Technical, Traffic Checkers, Toronto Coach Terminal

Despite our considerable time and effort in producing a warning card for our members, to assist them in dealing with various investigations in their workplaces, some members still are not using it. Even a few members who have initiated complaints against other workers have found that the wrath of the Commission can land upon themselves at the end of the day. You are not required to give evidence against yourself and should not speak to any Workplace Conduct investigator without a Union representative present. Members, like lawyers, who choose to represent themselves, often have a fool for a client.

It has been a busy summer. A lot of the issues remaining from the 2005 Collective Bargaining have been resolved. A lot of language clean-up, necessary in the various sub-agreements, has been completed. Some of the other issues that arose from members prior to bargaining needed to be dealt with as a package, after the fact. There were motions put forward from our membership concerning cameras and barriers to protect our Operators. We acted, negotiated and I am pleased to report that the sub-committees on both issues have reached agreements that no other transit properties in North America have been able to achieve!

In particular,

only the Toronto Police Services will have access to camera images, which can never be used for discipline against our members and the proposed bus/streetcar barriers, which are optional at the sole discretion of the Operator, will be manufactured in-house at Harvey Shop, installed and maintained by Local 113 members!

The optional use of the barrier will not effect WSIB adjudications on assault claims. This was a necessary concern in the wake of the Commission's record of objecting to legitimate workplace injury and accident claims. It should not be necessary for the President/Business Agent of the Local to intervene in cases like Jamie Pereira, or the Plant workers overcome by carbon monoxide last February.

The handling of WSIB, LTD and SBA claims and appeals and the poor responses and lack of empathy from the staff in the Occupational Health Department is of great concern to all members of this Executive Board. Improvements in this area are desperately needed and will be a priority in the future.



Scott Gordon
Maintenance Equipment 'E'

It's no secret that recent events have created a lot of concern for our Maintenance Members. As 'The show must go on', it is the Maintenance Board's responsibility to focus on the key issues/ concerns that have raised

the interest of our membership to new heights. We remain in this lengthy process of attempting to resolve the major issues that have caused so much grief to our members and that management is somewhat reluctant to address. These include: shift changes (APS, Swing and Various), overtime regulations, SBA claims and Job Evaluation.

The resolution process has become increasingly difficult as the staff members are constantly being shuffled between locations and positions.

This creates longer grievance processing as the staff employees must adjust to their new environments and learn the current practices, which are in place at those locations. We are currently looking at possible ways to expedite the grievance procedure.

It is with great pride that we can say, through such difficult times, that this membership has shown their solidarity in standing behind their Sisters and Brothers with never-ending support. We must remain united in our efforts to address our membership's issues as this has become the most potent way of getting our issues heard at the higher levels.



"Keep it! Use it!"



Paul Callaghan
Maintenance Board Member at Large

More and more, the educational background of our members has come into question when bidding on established vacancies. Many jobs in the Maintenance Department require a Grade 12 Technical Diploma or its

equivalent through practical, mechanical experience. Over the last nine years, very few individual grievances have been won challenging this requirement. We did however, win a big Policy Grievance in Plant Track and Structure that involved 25 members. The Company has now established a GED Program, which allows assessment of our members.

After the assessment is complete, a report is generated indicating what is necessary for completion of the GED. Some assistance may be given where needed and members may write the GED exam when ready.

This is an opportunity which allows our members to obtain a Grade 12 Diploma. Once obtained, other Community College Courses are available to make up the Technical aspect. Congratulations go out from the Maintenance Board to all members who have completed their GED certificate.

Board Members Gordon, Chrisp and I have been able to meet with the Company and discuss some 'grandfathering' possibilities throughout the Maintenance Department. As a result, the Company has now offered a Grade 12T equivalency to all members working in a job where a Grade 12T Diploma is required. In return, they want the 'mechanical, practical experience' wording to be removed from all job descriptions.

The Maintenance Board is exploring all avenues before bringing this to membership. Once again, it is a proven fact that by working together on the Maintenance Board, we can get much better results for our Members. Thanks to all of you for the support you have given the Board as we all work together for the members in each and every Department.



Bill Chrisp
Plant Maintenance

Where does it end?

After the carbon monoxide incident in February of 2006 you would expect the TTC to react by increasing their due diligence in Health and Safety. Why then were there subsequent incidents

of exposure of workers to asbestos and lead poisoning?

The TTC has a responsibility under the Occupational Health and Safety Act to provide all employees with a

safe workplace. It is clear from their horrible record that Management at the Commission is not serious about safety. Meanwhile, the work is being done and done well despite many well-known hazards that Management has been grossly negligent in correcting. There are too many levels of Management and too many Managers who are busily assigning blame to one another while no-one will assume the responsibility of ensuring that the workplace is safe.

The TTC is acting recklessly in allowing unsafe working conditions to persist. Their workers, our members – and their families – deserve better.

Senior TTC Management and the Staff in Occupational Health constantly complain about the number of SBA claims and the resulting poor attendance statistics. Through their inaction, the TTC is ultimately responsible for the inflation of sick claims and workplace injuries. The TTC indicates that attendance management costs \$20 million per year. Their failure to act responsibly could cost us lives. What price do you place on that?

Our Joint Health and Safety Committee Union Representatives have been diligent in raising health and safety concerns on numerous occasions but their efforts are being ignored, or endlessly deferred.

The Executive Board of Local 113 will continue to relentlessly pursue justice, dignity and fair treatment for our members. The silence from TTC Management is deafening.

YOUR WORKPLACE HEALTH & SAFETY RIGHTS

Under Ontario's Occupational Health and Safety Act, you have the following rights:

- **The Right to Know** about any actual or potential hazards in the work you are assigned to perform.
- **The Right to Participate** in workplace health and safety through the Joint Occupational Health and Safety Committee, which must be made up of equal numbers of Union and Management representatives.
- **The Right to Refuse** to do work that you believe may be hazardous to you or a fellow worker.

If you have any questions related to Health and Safety, talk to your Steward or your Executive Board member. There can be no compromise when it comes to your life!

Operators' Protective Barriers – Preliminary Survey Says - YES!

When the TTC's Operator Assault Task Force issued its report in 2005, plastic protective barriers were not mentioned. The only idea then for a guard against assault was an "investigation of equipping all surface vehicles with a mid-height hinged door that would provide some improvement in Operator protection." Even that never went anywhere. Too expensive.



"The whole Task Force was a farce," says Paul Prosser, who resigned from the Task Force over several issues, the main one being management's lack of respect or consideration for many Operators who had been assaulted. "It was meant to put off any real investments in Operator safety."

A year later, high plastic protective barriers are being made in Harvey Shop by our members and our Operators have been given the choice of which model they like. Not only that, they will have the option whether or not to use it on the job.

Why the change? Because the union leadership forced the issue.

On May 24 of this year, President Bob Kinnear caused a sensation in Toronto by telling a press conference that ATU members "will no longer engage in fare disputes with customers." Like so many other times over the past couple of years, an ATU-related story was at the top of the evening television news and on the front pages of the morning newspapers. The media made a big deal about the TTC being "free," which was not true. Kinnear did not say

passengers need not pay a proper fare, only that we weren't going to get into arguments with those passengers who didn't. "Our safety is not worth risking for \$2.75."

The union announcement was greeted with hostility by TTC Chair Howard Moscoe, who said there would be "consequences" for Operators who did not collect fares. He said the TTC had been doing everything possible to protect Operators.

"We've implemented every recommendation of the Task Force, which had a majority of union members." (Like so many other Moscoe statements, this one came straight out of Fantasyland. Of the nine Task Force members remaining after Prosser's resignation, only one, Assistant Business Agent

(Transportation) Larry Davis, was from the union.)

Mayor Miller was not as combative as Moscoe but he did snap at reporters that Operators "are required to do their jobs." The Mayor did not say, however, whether or not Operators' jobs required them to engage in fare disputes with customers.

A few days later, the wildcat strike happened. Many tried to blame it on the Plant Department's unhappiness with the new Master Sign-up. Kinnear faced a very hostile media and said that "Yes, our members in the Plant department are very angry and frustrated, and rightfully so. But they're not alone. Our other members in Maintenance have had it with the repeated violations of their rights and lack of respect by management. And our Operator members are sick and tired of worrying whether the next person on the bus or



L-R: Kevin Morton, union Co-Chair of the Union/Management Task Force on protective barriers, Romeo Endrizzi, Shop Steward for Harvey Shops (North-Side), where the barriers are being made, Dennis Costantini, a Local 113 Sheetmetal Fabricator, who built the prototypes, Bob Kinnear, Local 113 President/Business Agent, and Paul Callaghan, Local 113 Executive Board Member At Large (Maintenance), also a member of the Task Force.

streetcar is going to insult them, spit on them, punch them, or worse. They've all had it up to here and when the dam burst, it burst wide open."

Soon thereafter, a study of plastic protective barriers became a Commission priority. In a preliminary survey, 67% of our Operators indicated that they wanted such a barrier.

A Union/Management Task Force was formed that includes eleven union representatives: Co-Chair Kevin Morton, Paul Callaghan, Frank Grimaldi, Jim Boyle, Phil Quibell and Rick Hughes from the Executive Board and Shop Stewards Kaz Kamall, Cliff Piggott, Carmen Lint, Rocco Signorile, and Frank Hood. There are two TTC management staff members: Bill Brown, Manager of Vehicle Engineering and Co-Chair John Chamberlain, Senior Superintendent of Surface Transportation.

Prototype barrier fabrication was done at the Harvey Shop by Local 113 Sheetmetal Worker Dennis Costantini. Shop Steward Marvin Murree of Wilson Division tested Prototype 3 in service on the morning of September 15th, 2006. Following a trial at all Divisions, a fourth prototype will be developed and will be placed in all Divisions on static display for 24 days of viewing and comment. Based on the follow-up survey of Operators (who will have the final say), ATU Local 113 will advise management whether final implementation of a protective barrier will proceed. If it is supported, Harvey Shop will begin fabricating and installing these optional protective shields on Orion VII buses and the Task Force will continue development of a protective barrier for all other TTC vehicles.

It is a refreshing change to be able to work cooperatively with Management on an issue of such importance to our members. This has been a classic example of the value of co-ownership of an idea put into action for the benefit of all concerned.

"Smile! You're not on Candid Camera!"

Thanks to the union's insistence, vehicle cameras will help deter and capture criminals without violating the privacy and dignity of Operators

Earlier this year, President Bob Kinnear appointed Executive Board members Kevin Morton and Paul Callaghan to oversee the TTC's Vehicle Camera Program. Board Member Paul Prosser assisted in the Wheel-Trans Vehicle Camera Prototyping. In-House Legal Counsel Heather Alden was also part of the team that made transit history. **No property in North America that has vehicle cameras has such ironclad safeguards against the cameras being used for any reason whatsoever against the Operators.**

The idea of cameras on buses and streetcars is far from new. Several U.S. transit systems have them and they're already in many Toronto taxicabs. The union was always in favour of any measure that would help reduce assaults on its members, including cameras, so long as that same measure could not be used against the Operators by management.

This goal has now been achieved. Toronto will be the first city in Canada to equip its surface vehicles with security cameras. The full title is the Surface Vehicle Safety Camera System (SVSCS).

The tiny cameras cost about \$1,000 each. They will be placed so that they capture images of passengers entering the vehicle through the front or rear doors, and will also be able to capture some interior views and provide photographic evidence of any physical assault on an Operator.

This is only the beginning of the protections secured by the union. We have a firm commitment from Robert Boutilier, Deputy General Manager, Surface Operations, in a letter of August 29, 2006 in which he says that "TTC staff cannot view or use the pictures or any other information from this system for any purpose, including interviews, discussions, claims, performance monitoring and discipline or planning additional investigations."

Boutilier goes even further in his letter:

"This information [the pictures] must never be used for informal counseling, letters of counseling, letters of warning, relieving of duty or any of the other steps in the discipline process including Steps 1, 2 or 3, mediation and arbitration. There can be no notation in any personal file or other notes referring to the information from the SVSCS.)"

Only Toronto Police can use the pictures

The rules governing use of the new cameras are very strict. The recorded images are to be used solely by Toronto Police Services (TPS) as part of a criminal investigation. The pictures will be download only when directed by TPS and in accordance with TPS procedures regarding evidence collection. TPS alone will determine how the evidence is used, such as showing the pictures to potential witnesses.

The union has confidence in the Toronto Police. Our union and the Toronto Police Association have long been friends and allies. We advise all our members to fully and completely cooperate with any police investigation involving assaults on TTC staff or customers, but we know that they all do anyway.

Although the same rules have not yet been confirmed for cameras in Wheel-Trans vehicles, the union will insist that those rules be exactly the same as for other vehicles. There are no grounds for any difference.

Local 113 supports Argos 'Stop the Violence' Campaign

On Sunday June 18, the Toronto Argonauts Stop the Violence Foundation sponsored its first annual walk to raise funds for organizations and projects that focus on constructive responses to the rising violence and use of guns, particularly among city youth who are turning to gangs. Local 113 donated \$10,000 to the Foundation and put up a booth in Nathan Phillips Square at City Hall, site of the rally following the walk.

To raise awareness of the problem of violence on the TTC, Local 113 offered three free Monthly Metropasses as prizes for people who filled out a short survey. Nearly all respondents said that TTC Operators should not be required to engage in fare disputes with customers and that governments should spend whatever is necessary to protect all TTC employees against violence on the job.



Councillor Mark Grimes and Toronto Police Constable Andria Cowan, both members of the Board of Directors of the Toronto Argonauts Stop the Violence Foundation, accept a cheque for \$10,000 from Local 113 Executive Vice-President Paul McLaughlin and President Bob Kinnear.



Besides giving out three Monthly Metropasses to the hundreds of people who filled out the Violence on the TTC Survey, the Local gave hats to many of the kids participating in the walk.



Canadian Auto Workers President Buzz Hargrove stopped by the Local 113 booth to congratulate Bob Kinnear on raising the profile of the ATU in Toronto

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