

## Zoom Into the General Meeting

The Executive of Local 38 has made the decision to continue with on-line meetings for the near future.

The October 25, 2022 Regular Membership meeting will be held through an on-line Zoom meeting. We encourage every *card-carrying member* to contact the office for the specific details to attend the meeting.

In an attempt to balance the confidentiality of the meeting with access for our members, we are asking the following:

1. Contact the Union Office at 403-233-2700 or [office@cupe38.org](mailto:office@cupe38.org) to obtain the access code for the meeting.
2. When entering the Zoom meeting, please ensure your camera is on and that you identify yourself. We will need to confirm and record the name of all attendees. If a participant cannot be identified, they will be removed from the meeting.
3. Once the meeting starts, attendees will be given the instruction to turn off their camera if they desire to improve bandwidth.
4. If speaking, please activate your camera so other delegates can see who is speaking.

I want to thank everyone for their understanding. While we prefer in-person meetings, to ensure the health and safety of our members, on-line meetings are needed to continue the democratic operations of our Local.



## September 19<sup>th</sup> Holiday

On September 15, Local 38 sent an email to all members in response to the Employer's refusal to recognize September 19<sup>th</sup> as a holiday. Both the City of Calgary and ENMAX refused to recognize the holiday and directed all employees to attend work on that day.

Not surprisingly, we have been inundated with questions about the collective agreement language. Our collective agreements with the City and ENMAX have identical language. It states, "all general holidays *proclaimed* by the City of Calgary and/or the Province of Alberta and/or the Government of Canada shall also be recognized as legal holidays...." While it is not exactly clear yet how the City and ENMAX arrived at their interpretation of the collective agreement, it appears that both employers are attempting to read into the language a need for at least one level of government to *legislate* a general holiday. It is our view that this interpretation conflicts with the collective agreement.

We believe the language in the collective agreement is clear and unambiguous regarding the decision of the Federal Government to proclaim September 19<sup>th</sup> as a general holiday.

Local 38 has filed a grievance with both the City and ENMAX on behalf of all members. We have been in discussion with all the Civic Unions, and we understand that each Union has also filed their own separate grievance against the employer. It is likely that we will need to litigate this issue in order to reach a conclusion.

It is our position that all employees who worked on September 19<sup>th</sup> must be paid for the day as per any general holiday outlined in the collective agreement. This means that every member who worked September 19<sup>th</sup> would be entitled to overtime pay for the hours worked, as well as be granted a lieu day for the 19<sup>th</sup>.

I know that many of you are as disappointed as we are that the employers has taken this stand. Even a cursory analysis of the risk involved should have led the City and ENMAX to declare the 19<sup>th</sup> a one-time holiday and minimize the monetary impact. The Unions notified the employers of our intention to challenge the issue if they refused to acknowledge the holiday. In our view, the City and ENMAX were well aware of the financial impact by ignoring the Federal Government's proclamation of the holiday.

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## Register now! Children's Christmas Party returns to in-person event

After two years, the elves of the Social Committee are pleased to announce that the Local 38 Children's Christmas Party will be returning to an in-person event for 2022.

The Children's Christmas Party will be held on **Saturday, December 10 from 9 to 11 a.m.** at the **Genesis Centre**, located at 7555 Falconridge Blvd. N.E. Join us for entertainment, treats and a photo with Santa. Each registered child will also receive a special Christmas gift.

Registration is open for children of card-carrying Local 38 members, who were born in 2012 or later; forms are available on our website at [www.cupe38.org](http://www.cupe38.org).

**Email or drop off your completed form to the Local 38 office no later than Monday, November 14, 2022.** We are unable to accept forms submitted after this deadline.

We look forward to seeing you there!

## Call for Volunteers

The Social Committee is looking for volunteers to assist with the Christmas party. If you are able to volunteer, please call the office at 403-233-2700 or send an e-mail to [office@cupe38.org](mailto:office@cupe38.org)

## September 19<sup>th</sup> Holiday

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Many unions across the province do not have the same language as the Calgary Municipal Unions. Our research shows that this particular language dates as far back as the 1960s and likely even longer. This is a perfect example of why we should never agree to give up language within a collective agreement!

If we are forced to litigate this issue, we won't likely receive the outcome until sometime in 2023. We will keep everyone informed as events transpire.

## Local 38 honours 2021 retirees at banquet

On September 24, recently retired members were recognized at a banquet and dance hosted by Local 38 at the Delta Calgary South hotel.

An annual Local 38 tradition, the Retiree Banquet was temporarily paused in 2020 and 2021 to observe public health restrictions during the pandemic. With restrictions lifted, Local 38 was pleased to once again offer this annual event to recognize the contributions of Members who retired from Enmax, The City of Calgary and the Calgary Parking Authority in 2021.

Over 185 retirees, guests, volunteers and Local 38 representatives were in attendance, in addition to several Union presidents and special guests from Locals across Calgary.

Congratulations to the Retirees and a special thanks to the Local 38 Social Committee and all volunteers who helped to make this event a success!

## Retroactive Pay

By now, all of our members should have received retroactive pay. The City targeted the August 10<sup>th</sup> pay day to ensure the new rates were in place. They then targeted the September 21<sup>st</sup> pay day to distribute retroactive pay.

The retroactive pay takes quite a bit of work to complete. Pay Services needs to look at each member's time going back to January 2021. If the member had received step increases, movements between pay grades, overtime worked, acting pay, etc.

The third target is for all members who have left the City's employ after January 2021. They will be paid retroactivity in October.

We could not have accomplished negotiations without the strong support of all members. As a thank you for your ongoing support, Local 38 informed the City not to deduct dues from the retroactive pay to ensure the maximum amount went to you.

## THOUGHT FOR THE MONTH



It's not where you are in life, it's who you have by your side that matters.

~ J.M. Laurence

## Sickness and Accident – What You Need to Know

What happens when you get sick on vacation? Many members simply write off their vacation time while recovering from the illness. Wouldn't it be nice if there was a policy to address this issue? The City seems to have policies covering almost every other aspect of our working lives. But not this issue --- or do they? There are some members who have been around long enough to know that the City does indeed have a policy to address being sick on vacation.

It is a policy that benefits our members, but the City does not publish, circulate or inform anyone of the policy. Of course, if a member does not conform to every part of the policy, the City denies them access to it.

So what exactly is the City's policy? Referred to as Vacation Reversal, the City will place an employee on S&A and "reverse" (or reimburse) that employee's vacation time back to their bank. However, this will only be done if the employee can produce a physician's note that shows the employee attended a physician's office during the vacation time in question. Without the note from that specific timeframe, no vacation reversal will be allowed.

The policy on its face makes sense. In order to ensure that an employee is actually sick while on vacation, a physician's note is the required proof. The problem with this policy is that the City does not tell employee's about it. There have been some recent cases in which the employee only finds out after the fact, and tries to get a note after returning to work. The denial is not based on the fact the employee wasn't sick; the denial is based on the date of the physician's note.

The City takes get effort to publish all of their policies. They are online in the Administration Policy Library, easily accessible on the external web search engines. Everything from Fleet Operator Safety, Distracted Driving, Code of Conduct, to Labour Relations disciplinary matters are openly published. In many cases, employees are required to take refreshers on policies. Yet this one policy that positively affects employees is nowhere to be found.

There is much talk throughout the City about work-life balance. They developed a policy that directly supports this concept. What they need to do is tell people.

## LAPP's Economic Contribution to Alberta

Any retiree will tell you how important a workplace pension is to their economic security. Local 38 members are retiring in record numbers, and we expect this to continue in the foreseeable future. A huge part of their decision is knowing they have a secure income in their retirement years.

But is that the only value to a defined benefit pension plan? Recent studies have shown that pension plans such as Local Authorities Pension Plan (LAPP), Public Sector Pension Plan (PSPP), the Alberta Teachers' Retirement Fund and the Special Forces Pension Plan (SFPP) have broad and significant impacts across the Alberta economy.

Public pension plans and their 401,500 active, retired, and deferred members contributed more than \$4.8 billion to Alberta's economy last year. The plans supported over 43,700 local jobs and over \$2.2 billion in local wages across the province, covering the full range of industry sectors such as healthcare, manufacturing, finance, retail, accommodations, and the food supply chain.

Over 504,000 Albertans benefitted in total, with the plans also directly supporting nearly 40,000 households, including 2,900 lone-parents and over 19,400 households with children.

The plans have investments worth over \$2.5 billion in nearly 100 communities across Alberta, including of-office space, apartment buildings, industrial buildings, shopping malls, and utilities such as natural gas supplying over 82,000 households in 90 communities.

With pension payments of \$3.1 billion in 2021, representing 27% of all provincial retirement income, Defined Benefit (DB) plan retirees contributed \$1 billion towards corporate, income, and consumption government tax revenue. One-fifth (20%) of all created employment and pension spending was outside the major urban centres.

Public Sector Defined Benefit Pension plans ensure the financial security of retirees while simultaneously supporting all Albertans through a stronger economy. Visit [lapp.ca](http://lapp.ca) for a copy of the full report *8687 Economic Contribution of Public Pension Plans in Alberta*.

# REGULAR MEMBERSHIP MEETING

*All CUPE 38 Card Carrying Members  
Invited to Attend*



**When: Tuesday, October 25, 2022  
at 7:00 p.m.**

**Where: Via ZOOM  
(SEE FRONT PAGE FOR DETAILS)**

**Business: Regular**