

CUPE WIRE

Official Publication of the Canadian Union of Public Employees, Local 38
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Overtime Raises Questions

The Office has received numerous inquiries regarding overtime. The concerns range from “do I get a lunch break while working overtime on Sunday” to “can I be required to work overtime on a regular basis.” Most of the answers to these questions are contained in Article 13 of the collective agreement, and we encourage all members to read it along with Articles 14 and 15.

However, the short version of the matter is as follows. An employee is entitled to overtime if they work more than the daily or weekly norms (i.e. 8 hours a day or 40 hours in a week). If they work a weekend, they receive the overtime rate (double time).

The employee should only work overtime when they are directed to do so by their Supervisor. The employee has the right to receive time off rather than pay, at the double time rate. The employee must elect this option at the time the overtime is submitted. Should an employee be in a position where they believe they are unable to meet a deadline, they should advise their Supervisor and ask if overtime will be approved in order to meet the deadline. If the Supervisor does not allow for the overtime, it is recommended that you send an email inquiring that given the refusal for overtime, will the Supervisor reassign the work or extend the deadline. If the employer says no, please contact the union office.

It should be noted that Article 14.01 provides employees with a 20 minute meal break with pay if the day is extended by more than 2 hours. It should be noted that there is a practice of allowing employees to leave and add the 20 minute break to the total overtime submitted. This practice helps with work life balance since it allows the employee to spend time with their family, while they eat. We encourage you to discuss this with your Supervisor and seek their agreement, prior to doing this. We do not want anyone to be accused of falsifying time sheets.

An important point is that overtime cannot be built into a schedule to address regular and ongoing work needs. This amounts to a violation of Article 10 hours of work clause in the collective agreement. In effect, overtime is not meant to offset the employer’s failure to staff to appropriate levels to complete work. Moreover, it is not meant to allow the employer to push work to the final minute of the work day, and then have employees wrap up work, or close down systems after the stipulated hours of work.

If there is a demonstrated pattern of overtime, occurring on a regular and consistent basis, we encourage you to contact the Union.

Young Albertans at Risk

Most Albertans will hold a job at some point during their teen years. Jobs provide teens with money, a sense of accomplishment and useful vocational skills. Yet teens employed in Alberta also face widespread illegality and injury on the job. Research suggests that:

- up to 70% of adolescents (12–14) may be employed in illegal occupations
- teens (12–17) routinely face wage theft and are employed for more hours than they are legally allowed to work
- more than half of all employed teens experience work-related injuries each year.

This widespread injury and illegality in teen employment reflects that Alberta does not effectively enforce the employment laws that are supposed to protect teen workers, including the Employment Standards Code and the Occupational Health and Safety Act. Employers face almost no chance of being caught violating these laws. And, if they are caught, they are unlikely to be penalized for noncompliance.



There are many factors that contribute to the government’s historical unwillingness to enforce the laws it has passed. Teen employment is often thought of as a character-building experience with wage theft and injury — endemic features of employment in Alberta — being framed as educational experiences. The close relationship between the former Conservative government and Alberta’s business community also created reluctance on the part of legislators to sanction meaningful enforcement of employment laws.

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Rising Food Prices Take a Bigger Bite from the Family Budget

With the drop in oil prices, the rate of overall consumer price inflation has subsided, averaging just 1.0 per cent in the first seven months of this year. Economists' forecasts are for inflation to average close to or slightly above one per cent this year, but then average two per cent or higher in 2016.

While overall inflation may have waned, it's not affecting everyone in the same way. It's impossible not to notice rising food prices in the grocery aisles. So far this year, average prices for food purchased in stores have increased by an average of 4.1 per cent, four times the general inflation rate. In particular, the price of meat is up by almost 10 per cent and the price of fresh vegetables up by an average of six per cent so far this year. Rising prices for food especially hurt lower and middle income households and families for whom food consumes a much larger share of their budget.

Despite the plunge in global oil prices, not much of the savings are flowing through to Canadian consumers, because oil companies and refiners have increased their margins. In late August 2015, the price of a barrel of oil dropped to half what it was a year before, but prices at the pump are just 14 per cent lower. Even after excluding taxes and adjusting for the drop in the value of the Canadian dollar, gasoline prices at the pump for Canadians have declined by less than half the drop in the world price of oil.

THOUGHT FOR THE MONTH



The person who says it cannot be done should not interrupt the person who is doing it.

~ Chinese Proverb

Come join the CUPE 38 Social Committee at the 2015 Calgary Hitmen "Teddy Bear Toss" game on **December 6, 2015 at 4pm**



VS.



Tickets on sale from November 9–27, 2015

Tickets are \$5.00 per person / Max. 4 tickets per member

See www.cupe38.org for tickets sellers

Young Albertans at Risk

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As Alberta revisits the content and administration of its employment laws, the following changes could significantly improve the working lives of Alberta teens:

1. Require employers to have permits for workers under the age of 18. Permitting creates an opportunity to educate employers about their obligations as well as provides data to drive policy decisions and enforcement activity.
2. Increase the awareness of teens about both their workplace rights and how to use those via curricular change in Alberta schools.
3. Increase the monitoring of teen employment by hiring additional workplace inspectors and tasking them with random and targeted inspections of workplaces employing teens.
4. Increase the reputational and financial costs of employer noncompliance with teen employment laws by ticketing noncompliant employers, refusing them permits to hire teens in the future, and publicizing their names.

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Scholarships Awarded

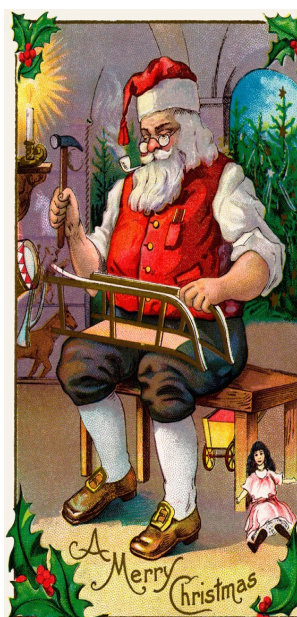


For the last ten years CUPE Local 38 has awarded two scholarships to either members or children of members in good standing who are enrolled in a post-secondary institution. The applicants must write a 1,000 word essay on a chosen theme.

We had a total of sixteen (16) submissions and the Local's Public Relations and Education Committee chose the two winning essays. We are proud to announce the names of this year's scholarship recipients; Haley Brett and Jane Rea.

The Committee would like to thank all those who submitted essays and wish them the best of luck in their studies.

Children's Christmas Party Application Enclosed



The application for the 2015 Children's Christmas Party to be held on Saturday, December 5th is inserted into this issue. If you are a card carrying member of CUPE Local 38 and have a child/children born in 2005 or later, please complete and remit the form to Mail Code: 132 no later than November 13th, 2015.

If you require a union card or further information, please contact the union office at 403-233-2700

REGULAR MEETING



Tuesday, October 27, 2015

7:00 p.m.

Union Office

1439—9th Avenue South East

BUSINESS: Regular

Elections:

- 1. One (1) member to Social Committee.**
- 2. Six (6) eligible Delegates to the AFL/CLC Weeklong Winter School - January 17-22, 2016 in Jasper.**