

## Legislating Away Rights

In the September newsletter, I described two of the most aggressive legislative attacks on Albertans in recent memory: Bill 32 attacks on worker protections and rights, and Bill 22 undermining of the Local Authorities Pension Plan governance.

Since the last newsletter, labour and worker groups across the province have united to mount constitutional challenges to both pieces of legislation. In each case, the Kenney government purposely avoided any meaningful discussion with those most affected by the changes.

In the case of the changes to our pension plan, all stakeholders were opposed to the elimination of independent governance of our pension. LAPP is a secure retirement plan that provides a meaningful retirement for over 150,000 families across Alberta. Workers pay into this plan on each and every pay cheque. Now the government wants our retirement funds to prop up the Alberta energy sector. The only way to do this is to undermine the governance of our plan, force our money to be invested by AimCo, and then the government quietly directs AimCo to engage in dubious investments.

In the case of the elimination of labour rights, the Kenney government specifically chose to keep the contents of the legislation from working families. Introduced in the summer of the worst global pandemic in our history, the Kenney government rammed the Bill through the legislature at lightning speed. Within three weeks, the Bill went through three readings and royal assent. Opposition parties tabled dozens of amendments, attempting to reconcile the legislation with the constitution. All amendments were swiftly defeated by the Kenney government.

Even with the knowledge that the legislation violates the Charter of Rights and Freedoms, Jason Kenney directed the government to ram through the Bill. Sources tell us that even the government lawyers know that the legislation violates the Constitution. None of this made any difference to the UCP. Kenney did not raise any of this during the election campaign, and now, while Albertans are grappling with a pandemic and in the depths of summer, they force through.

It is left up to us --- labour and workers groups --- to join together and defend the basic rights of all Albertans. To this end, the Local 38 Executive is putting forward two motions to join with the separate Constitutional challenges. One to defend the rights of workers across Alberta, and one challenge to once again defend our pension. We must not be silent when facing these attacks.

## Time to Realign?

In early October, David Duckworth delivered a short presentation to City Council outlining the high level overview of the proposed Realignment. Entitled "Rethink to Thrive, Organization Realignment", the presentation was short on specifics. Duckworth stated throughout the presentation that the intention of the Realignment is to strengthen collaboration and improve coordination across the organization. The driving intent is not to make cuts, but to work smarter.

We agree with the overall goals of the process. It has been many years since the organizational structure of the City has been seriously and comprehensively reviewed. Who works alongside who, who rubs shoulders with who on a daily basis is important. We have heard for years now from our members across the organization that there is a need to tear down silos. If this Realignment can achieve a positive change to this end, it will undoubtedly be welcomed by staff everywhere.

Unfortunately, the lack of detail raises not only the inevitable questions, but in these times raises anxiety and stress. While the City Manager took pains to emphasize that this was not a cost-cutting exercise, City Council immediately co-opted the presentation to steer it towards attacks on staff.

The whole Council meeting descended into arguments about cuts and rollbacks. What was lost was the main purpose of the Realignment, namely, to allow us to do our work smarter and more efficiently.

Councilor Colley-Urquhart lamented that the plan is not focused on cutting staff, and asked the City Manager if it would be helpful if Council directed him to make a 10% - 12% cut. Subsequently, Councilor Farkas tabled a motion to reduce Management Exempt salary expenses by 15%.

Too often City employees are attacked by Council and the public for being inefficient. They say we need to be more innovative. They say we need to take more risks. They say we need to reduce red tape. What is lost is that staff simply enact the decisions of Council. Council does not want us to truly take risks. With risks comes consequences. And history has shown that Council will not support us in those consequences.

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## NEGOTIATIONS SET TO BEGIN

CUPE Local 38 will send notice to open bargaining with the City of Calgary in the next few weeks, as per the legislated timelines, prior to the end of the current contract. This is the first step in the formal bargaining process, but leading up to this point, our Bargaining Committee has been hard at work preparing. A survey was sent out in the late summer that asked our members to provide feedback on issues relevant to their work place. After receiving a record number of returned surveys, the bargaining committee reviewed all the compiled information and developed proposals that reflect the issues most important to our members. These proposals were presented by the committee at our September Regular Meeting. After discussion and many great questions, the proposals were ratified by the members in attendance.

The Bargaining Committee will provide periodic updates through the newsletter, when appropriate, as they move along the process of negotiations. While this has been a year of upheaval for many of us, the City and our members have kept the wheels turning for the citizens of Calgary. If you are interested in receiving this newsletter along with updates that become available on negotiations, please contact our office at 403-233-2700 or at [office@cupe38.org](mailto:office@cupe38.org) to ensure we have your personal email information.



## THOUGHT FOR THE MONTH



*'Questions provide the key to unlocking our unlimited potential.'*

*~ Anthony Robbins*

## LAPP HOLDS RATES FOR 2021

Through prudent planning and effective risk management, LAPP Corporation has significantly improved the funded position of the Plan over the past few years to the point where it could reduce contribution rates paid by employers and employees of the Local Authorities Pension Plan. Rates now are lower than they have been in many years. LAPP contributions were decreased an aggregate of 2% per year, for two years in a row, in 2018 and 2019. These decreases reduced the employer rate by 1% and the employee rate by 1% in each of those two years.

In keeping with the long-term focus on risk management, members of the Sponsor Board voted unanimously at a recent meeting to keep contribution rates steady for 2021, with no increases or decreases to members or employers beyond the current level. While the Plan is in a strong financial position, the uncertain times brought on by COVID-19 calls for a cautious approach to funding while watching how markets perform in the coming months. "With more unknowns ahead, like the timing of a vaccine or the impact on markets resulting from the U.S. presidential election, financial markets continue to be volatile and investment returns could be unstable for some time to come," says LAPP CEO Chris Brown.

The Board conducts an actuarial valuation once every year to ensure the Plan is adequately funded to meet its pension obligations and that it has made adequate funding provisions for future risks that might impact the Plan. The Local Authorities Pension Plan (LAPP) ended 2019 at 119% funded, according to audited financial statements released June 30, 2020.

This year the Board will keep a hold on rates during uncertain times. This will strengthen benefit security and improve the Plan's capacity for dealing with future risks, like market volatility or a sudden downturn in the economy. "The good news is that LAPP is fully funded and was in a good financial position before the pandemic hit in the first quarter of 2020. Barring any huge catastrophes, LAPP is well placed to weather any future storms and is managing risks on an ongoing basis," says Brown.

## Time to Realign?

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So, instead of creating a culture of reasoned risk, instead of creating a collaborative culture, Council spent their time attacking staff and calling for rollbacks.

It needs to be said that Councilor Farrell started the rollback debate by calling the motion ridiculous. She was followed by Councilor Woolley who apologized to City employees for having to witness this. Councilor Carra referred to it as “frivolous politicking”. Councilor Gondek noted that she is “getting a little bit tired of people randomly throwing up numbers... can we please get down to the business of doing our jobs instead of campaigning.” And Mayor Nenshi stated that the motion sends “entirely the wrong message” to staff.

In the end, three Councilors voted in favour of a 15% reduction to Exempt salaries: Councilors Farkas, Magliocca and Chu.

Perhaps what is truly needed is a realignment of Council in 2021.

## Children’s Christmas Event Registration & Gift Pick Up Notice

**With all that 2020 has brought us, the physical event for this year’s Children’s Christmas Party has been cancelled. But Santa still has a big bag of gifts to distribute to all of the card carrying members children born in 2010 or later.**



**Please register your child(ren) prior to November 13<sup>th</sup>, 2020.**

**Come to the union office on the following days to pick-up your gift(s):**

**Friday, December 11, 2020 from 11:00 am to 5:00 pm**  
**Saturday, December 12, 2020 from 11:00 am to 3:00 pm**  
**Monday, December 14, 2020 from 11:00 am to 3:00 pm**

**Special procedures will be in place at the office to maintain social distancing guidelines due to COVID 19. Please limit attendance to one family member only.**

## Calgary Alliance for the Common Good Fall Assembly

In 2019, the Local 38 membership made a decision to become a sponsor member of the Calgary Alliance for the Common Good. The Alliance is a non-partisan and non-profit alliance of congregations, unions, school and community groups in Calgary representing more than 30,000 people. These organizations came together to form the Calgary Alliance for the Common Good in order to organize the power of our communities to shape a just and compassionate city. The mission of the Alliance is to create a broad-based shared organization that is as diverse as Calgary, building relationships among organizations and people from the various community, ethnic, non-profit, labour, and religious groups; to strengthen our member organizations and their leaders to develop a healthy and effective civic life; and to use the principles and techniques of community organizing to effectively address the real issues facing Calgarians and our member organizations.

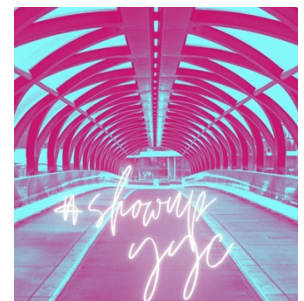
On October 29<sup>th</sup>, the Alliance will be hosting their Fall Assembly by Zoom at 7:00pm. This event will bring together participants from Unions, Faith Groups and Non-profit organizations to discuss how we can make Calgary a better, stronger place to live.

We encourage all members to register and join with the Alliance to connect with like-minded Calgarians and learn more about the work of the Alliance.

If you are interested, please register at:

[https://www.calgarycommongood.org/calgary\\_alliance\\_for\\_the\\_common\\_good\\_fall\\_assembly](https://www.calgarycommongood.org/calgary_alliance_for_the_common_good_fall_assembly)

The Alliance has had some great success stories in advocacy this year and we will gather online to mark these achievements. But, even more importantly, we will come together at this Assembly to advance the conversation about Calgary's budget; its relationship to the future of our city and the way in which our city can move forward. Mayor Nenshi is scheduled to speak among many others.



We hope you will join us for this event.

# REGULAR MEMBERSHIP MEETING

*All CUPE 38 Members Invited to Attend*



**When: Tuesday, October 27, 2020  
at 7:00 p.m.**

**Where: CUPE 38 Office  
1439-9 Avenue SE  
Business: Regular**

**The following Motions will be  
brought forward:**

- 1. \$1.50 per member to the Constitutional Legal Challenge to Protect LAPP.**
- 2. \$150,000.00 to the Constitutional Legal Challenge to Bill 32.**