

Member Handbook



Dear Members,

Hello, and welcome to your union!

The Prince Edward Island Union of Public Sector Employees



Karen Jackson
President, UPSE

(UPSE) is a truly home-grown, made-in-PEI union. UPSE has 5,000

members working in the public, private and non-profit sectors across the province. I hope this handbook is helpful to you in understanding your union and the rights you enjoy as a member.

You are part of a union with a long and proud history that dates to 1946. UPSE advocates for healthy and productive workplaces that enable you and your co-workers to provide quality services in every corner of our province. We value respect, learning, cooperation, equality, justice and diversity.

As an UPSE member, you are provided with professional bargaining support to help you reach a fair contract. UPSE also offers experienced and trained staff to help you solve workplace issues fairly. Our commitment is to stand up for your rights in the workplace, protect you from unfair treatment and negotiate fair and reasonable terms of employment for you.

and your co-workers.

UPSE members receive many rights and benefits which include: the right to grieve violations of the collective agreement; the right to a harassment free workplace; and the right to job opportunities. Collective agreements provide leave provisions including sick leave.

Be sure to follow UPSE on social media (we're on Facebook and Twitter). Visit our website regularly:

- to find out about the latest union news
- to apply for training courses and scholarships
- to learn about upcoming events, and perhaps most importantly,
- to get to know your Collective Agreement, which provides details about your working conditions, wages and benefits.

There are many opportunities to participate in your union, and I encourage you to get involved. Your union is only as strong as its members — the success of UPSE depends on members like you. Working together with your fellow union members, you can make a difference and improve your workplace, your community and your province.

In solidarity,

**Karen Jackson,
UPSE President**

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About the Member Handbook

We created this member handbook to help you learn more about UPSE, its structure, the union's decision-making process and the resources that are offered to members. Some of you may be joining a union for the very first time, and you may not be familiar with what it means to be a union member. We want to change that!

We hope this handbook will answer many of the questions that are often posed by new members and act as a refresher for long-time union members as well.

It is important for members to understand how your union works, what it can do for you and how to get more involved. Educated and engaged members make the union strong and a strong union leads to a better workplace.

This handbook will also direct you to other resources where you can find additional information or get clarification about issues of interest to you. Please take some time to read through the material and feel free to contact your Steward or the UPSE office if you have questions.

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GENERAL INFORMATION ABOUT UNIONS

What is a union and why are unions important?

A union is an organized group of workers who join together to achieve common goals. These goals generally include improving working conditions, wages, benefits and addressing other work-related issues. Unions have a wide variety of responsibilities such as:

- member representation,
- negotiating Collective Agreements or contracts,
- providing job security for members by ensuring they are not terminated or disciplined without cause,
- organizing, member education, political action, community building, charity work and more.

Having support from your union to ensure fair treatment in the workplace is one of the key reasons why people join unions. Unions strive to bring equality, economic prosperity and social justice to the workplace as well as to the community and the broader society. These union principles are especially important during times of high unemployment and economic turmoil.

Unions work like a democracy. Your Union holds elections for officers to provide leadership and make decisions on behalf of members. The elected officers and leaders work with staff at the union office to improve and uphold union members' rights on the job.

About four million people, or close to 30 per cent of Canadian workers (UFCW data), belong to unions, including teachers, journalists, nurses and professional athletes. There are traditionally unionized occupations like hospital and care home staff, factory workers, retail employees, government employees and those who work in the trades (electricians, plumbers, construction workers, etc.).

Historically, many people believe unions contributed to the rise of Canada's middle class and the general prosperity of the country. Unions work hard to ensure their members earn fair wages and have job security. Secure wages and stable employment levels help stabilize the economy and stimulate growth. As a result of the work of unions, more working people can afford houses, better food, clothing, cars and other consumer goods. Increased demand for consumer goods creates jobs and stimulates economic growth.

Workers who are paid better and enjoy job security pay taxes to support the growth of public services like schools, roads, clean water, police services, electricity and health care. Union workers make more and spend more, thus increasing economic activity and creating more jobs with that spending.

The health care benefits enjoyed by union members (dental, prescription drugs, optical, etc.) lead to healthier families that are less of a burden on the health care system. Unions negotiate pensions for workers so they can retire comfortably and continue to contribute to the economy in retirement. Many union members also contribute to their communities through volunteerism and in leadership roles in their communities.



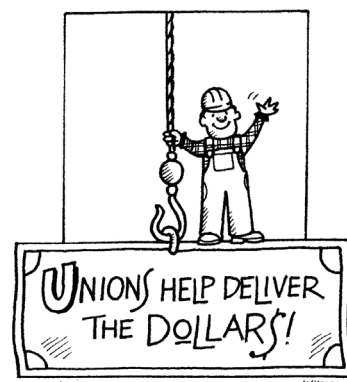
HOW DO YOU BENEFIT FROM BEING A UNION MEMBER?

Higher Wages

In 2012 the Canadian Labour Congress (CLC) published a study called the Union Advantage in Canadian Communities which found that on average (National Union of Provincial and General Employees (NUPGE) website) unionized workers in Canada earn \$5.11 an hour more than do non-union workers. CLC President at the time, Ken Georgetti, related: "That extra money in the pockets of individual workers means the union advantage is [was] worth a cumulative \$793 million per week added to our economy."

Various other studies have demonstrated that unionized workers earn more than non-unionized workers. This is because unions work to negotiate fair wages for their members and help ensure equal pay for equal work. Research conducted by the CLC in 2014 showed that:

- unionized women earned \$7.46/hour more than non-unionized women
- unionized young workers earned \$5.54/hour more than non-unionized young workers
- unionized new Canadians earned \$4.83/hour more than non-unionized new Canadians
- unionized Indigenous workers earned \$6.92/hour more than non-unionized Indigenous workers



A 2016 Canadian Union of Public Employees (CUPE) study concurs with the CLC data above. Higher wages are the number one benefit of being a union member in Canada. On average, unionized workers are paid \$5.40 an hour or 23 per cent more than those who aren't members of a union. The union advantage is considerably higher for women and lower paid occupations.

Better Benefits

According to a 2003 paper by Mathew Walters and Lawrence Michel ("How Unions Help All Workers" at www.epi.org), one of the biggest advantages of unionization is improved benefits in the workplace such as paid sick leave, employer-provided health insurance (which may include such things as prescription drug coverage and optical and dental plans) and employer-provided pension plans. Unionized workers receive 26 per cent more vacation time and 14 per cent more paid leave.

The 2016 Canadian Union of Public Employees study reiterated the 2003 Walters and Michel findings above and ranked pensions/benefits as 3rd in its top 10. CUPE states that: over 70 per cent of union members have access to a workplace pension, compared to less than 30 per cent of non-union workers. Union members have better health and other benefits, including leave, than nonunionized workers.

Better Working Conditions

Through negotiating fair collective agreements, unions help regulate hours of work and give you stronger protections and rights related to occupational safety and health, including requirements for employee training, rules for the safe use of equipment and processes in place to prevent accidents from occurring in the workplace. Your union works to ensure you are protected from unfair treatment, harassment and discrimination at work.

Unionized workplaces tend to be safer as workers are more likely to report health and safety violations and minor no-lost time injuries (due to training, awareness and/or less fear of reprisal), which makes workplaces safer overall.

In 2020, NUPGE released a report by the CLC that found 7 in 10 workers have experienced some form of violence and harassment at work. Almost half of workers have experienced sexual harassment and violence in the last 2 years. We know that violence and harassment have numerous, far-reaching effects on victims and survivors. 70% of workers reported missing time from work directly as a result of violence and harassment.

In response to workplace problems described above, UPSE conducted a survey of more than 400 UPSE Health PEI workers on violence in the workplace. The purpose of the study was to spur an initiative with the employer to reduce violence in the workplace. As a result of the findings in the study there has been some progress in efforts to reduce violence though more initiatives on the part of the employer.

A Stronger Voice at your Workplace and in your Community

It makes sense that many voices are stronger than one when you want to make change or stand up for what you believe in at work or in your community. That's what the union gives you — a collective voice! At the same time, every member has the right to influence what the union does and how it spends its money. That's done when you participate in meetings, provide feedback and suggestions on surveys, take on leadership positions, submit demand forms prior to collective bargaining or vote to decide who will represent you in the union's various leadership roles.

A Team of People Standing with You

Being a union member means you are never alone. Your union is there to stand up for you and your rights in the workplace. You have the support of your fellow union members, your union's leaders, the union's professional staff and all other resources your union has at its disposal. You are no longer just one individual; instead you have the strength of the entire membership standing beside you. For example, UPSE is the largest union on PEI and has significant resources to protect workers, largely due to the economic strength provided by members' union dues.

Unions and Union Membership

The Legal Context

UPSE is a legal entity recognized as a trade union under the *Labour Act of PEI*. The *Labour Act* and *Employment Standards Act* apply to all provincially regulated employees in PEI except the self-employed, immediate family members working for a family business or those covered by federal jurisdiction. It determines such things as annual holidays, hours of work, minimum wages and other basic rules involving the workplace.

The *Labour Act* also provides the legal context for the establishment of trade unions and the bargaining relationship on behalf of union members and their employers. The *Act* provides for:

- the certification and de-certification of trade unions
- guidelines for fair bargaining practices and penalties for violations of these guidelines
- dispute resolution mechanisms when requested by unions or employers
- union security and a process for the deduction of union dues
- duty of fair representation of union members by their union

The *Labour Act* lays out the obligations and responsibilities that employers have with their employees and the union that represents them. It also makes it illegal for employers to intimidate people to discourage them from forming, joining or assisting a union, or participating in union activities.

General Information about Unions

This *Act* also provides guidelines that unions must follow with their members. Every member of a union has a right to the application of the principles of natural justice with respect to all disputes between the employee and their union relating to matters in the constitution of the union, the employee's membership in the union or the employee's discipline by the union. A union cannot expel, suspend or impose penalties on a member, refuse membership in the union, impose any penalty or make any special levy on a person as a condition of membership if it is done in a discriminatory manner.

Details about the provisions in the *Labour Act* can be found at <https://www.princeedwardisland.ca/en/topic/industrial-relations>.

Legal Protection for all Island Workers

The *Employment Standards Act* also regulates employment relationships on PEI. The purpose of the *Act* is as follows:

- to ensure that employees receive at least basic conditions and benefits of employment
- to promote positive relationships and open communications between employers and employees
- to foster the development of a productive and efficient labour force that can contribute fully to the prosperity of Prince Edward Island
- to contribute in assisting employees to meet work and family responsibilities
- to provide fair and efficient procedures for resolving disputes over the application and interpretation of this *Act*.

Union members are covered by the rights in the *Employment Standards Act* if a specific right is not already included in the collective agreement.

Busting Anti-Union Myths with Facts

Several myths and misconceptions about unions exist. Sometimes this results from a lack of knowledge or understanding about unions. Often, these myths are promoted by employers and organizations who do not like unions or are intimidated by them. Here are some common anti-union myths and the truth behind them:

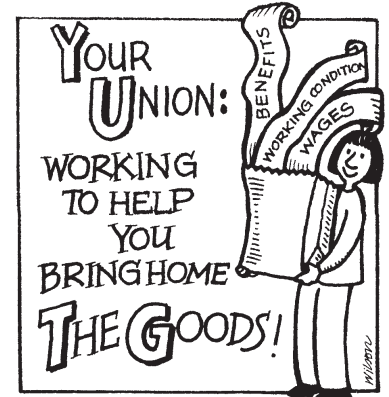
MYTH: I don't need a union because the boss already treats me well or promised they will fix the problems at work.

FACT: If your boss currently treats you well, you might be one of the lucky ones. But what happens if the boss decides you no longer deserve to be treated that way? Or what if you get a new boss who isn't so nice? A union can help ensure everyone is treated fairly no matter who the boss is or what mood they are in. Sometimes, if the employer hears that employees want to form a union, the boss will be on their best behaviour and offer to fix problems in the short term. But what happens afterward ... will the boss be as willing to respond to your concerns once they're no longer facing a union?

MYTH: If I sign a union card or help form a union, I'll get fired.

FACT: Organizing your union is a legally protected activity. The law gives you the right to help other people join the union so you can work together to improve your working conditions.

The law protects you. UPSE makes sure that the law is upheld. According to the *PEI Labour Act* it is an unfair labour practice for your employer, manager or supervisor to fire you, suspend you, punish you or threaten you in any way for joining a union or helping your co-workers join. Your employer will not be told if you did or didn't sign a union card. If your employer asks whether you signed a union card or are helping organize a union, you are not required to answer. If any of these occur or you believe they are occurring, you should report this to UPSE because it is illegal to do so. In cases like these, UPSE will stand with you and challenge the employer's interference at the PEI Labour Relations Board.



MYTH: Unions just want workers' dues. I won't be able to afford the union dues.

FACT: Dues levels are set by each union through a democratic process and represent only a small percentage of each worker's pay. UPSE dues are currently \$18.50 per pay or \$9.25 a week. Unions are not-for-profit organizations; the money that workers pay in dues goes back into running the organization so it can help its members. Dues from every member are pooled together to help all members have access to expert staff who can help them get better pay, benefits and fair treatment.

The services you receive as a union member are far greater than the cost of union dues. If you didn't belong to a union and had to hire an expert or a lawyer to help you when you have a problem at work, it would cost much more than the amount of dues you pay as a union member. A union can also negotiate wage increases that more than offset the cost of your union dues. On top of that, your union dues are tax-deductible.

Did You Know?

Some of UPSE's bargaining units do not have the right to strike after a contract has expired and the employer and the union cannot reach an agreement. In this situation the union relies on conciliation and arbitration as means to settle a contract.

MYTH: Unions mean more conflict and complications in the workplace.

FACT: Unions can make the workplace a better, less stressful place to work because a union contract helps lay out how workers will be treated by the boss and what workers are expected to do. A contract allows the company and workers to sit down as equals and discuss problems as they come up. Without a union, workers' lives are often more complicated because they must worry about things like favouritism, rules that change for no good reason, and low economic security. Unions can help resolve conflict and work with the employer on things like occupational health and safety issues, training needs, job security, and ensuring workers are happier and more productive.

MYTH: Unions used to be effective, but they're not anymore. Unions were good at one time, but they have outlived their usefulness.

FACT: Unions are still the best way for working people to have economic security and a voice on the job. Union members are more likely to have good benefit and pension plans compared to workers without unions. Unions also help keep the workplace safe, prevent discrimination on the job and give workers a say in what happens at their workplace.

MYTH: Unions protect the lazy and bad workers who should be fired.

FACT: Unions do not require an employer to keep a worker who is lazy, incompetent, or constantly absent or late. However, a union helps ensure that dismissals are for "just cause."

A union helps prevent workers from being fired without a good reason. A union will protect you from being fired if you miss work due to illness, or just because your boss dislikes you. This protection can be especially important for older workers, women, visible minorities, 2SLGBTQIA+ workers and those with disabilities. In this way, unions do protect people's jobs.

MYTH: Unions lead to lower productivity and laziness.

FACT: Studies have shown that productivity is higher in unionized workplaces; there is a positive association between unions and productivity. In general, unionized workplaces are known to attract and retain more skilled and experienced employees.

MYTH: Unions hold you back from advancement and promotion.

FACT: Unions help to set work and salary standards that are clear and apply to everyone. Unions do not prevent employees from being promoted. They provide a structure that is applied fairly to all employees, based on objective reasoning rather than on the employer's mood or attitude. Unions help prevent your boss from playing favourites or treating employees differently. You and your coworkers are entitled to be treated equally under the same rules and have the same chance to get promoted.

MYTH: Unions are too political and give my money to certain political parties and causes I don't always support.

FACT: The main job of the union is to stand up for its members by fighting for good contracts that provide a fair wage, benefits and good working conditions. But the union also advocates for other issues that make a positive difference in the lives and communities of members and their families — things like affordable health care and prescription drugs, access to childcare, affordable housing, human rights including 2SLGBTQIA+ issues, and much more. We sometimes lobby federal or provincial governments, and we work to make sure our members have information on political parties and candidates who work for good laws and support issues that matter to working families. However, UPSE does not donate to any political parties. Any political work we do is not about electing a party, it's about raising issues that matter to Islanders.

MYTH: Unions are mostly interested in demanding wage increases that eventually force the employer to cut jobs or go out of business.

FACT: Wages are important, but unions are also concerned about fair treatment and better working conditions. Over the years, unions have led the fight for Medicare, workers' compensation, occupational health and safety laws, stronger human rights laws, and pay and employment equity. Unions try to find a balance when asking for wage increases because they know it would harm employees if a company could not afford to pay its workers and had to cut jobs or go out of business. This is a scare tactic that is sometimes used against unions, but it makes no sense for a union to act in a way that would result in jobs being lost or a business closing.

MYTH: The union is controlled by big union bosses who don't know anything about our workplace or our community.

FACT: A union is made up of its members at each workplace. The members get to control the direction of the union by attending meetings or conventions, voting when decisions are being made, and electing leaders to represent them. This helps ensure that members who know their workplace and their community have a say in what the union is doing. UPSE is a PEI-based union that is proud to represent members who live, work and raise their families in communities across the province.

MYTH: Unions are too big and powerful.

FACT: Unions are governed by their members, using a democratic decision-making process to elect their leaders and make decisions on what the union does. Unions are formed by their members and are accountable to them. Even the largest unions are small in comparison to the size, financial resources and power that large corporations hold. Governments also hold more power than unions and can change the laws that apply to unions, intervene in strikes, force workers back to work, or impose a contract on a union.

Certainly, there are times when some corporations or governments claim unions are too powerful. But remember — union power is really worker power. Unions are only as strong as their members make them. When business or governments say unions have become too powerful, it's because they're worried about the impact workers can have when they are organized and prepared to work together for their collective well-being.

Information about UPSE

Who is UPSE?

UPSE is a province-based union that represents 5,000 government, non-profit and private sector employees who live and work in communities across the province. We provide many of the services that families rely on every day — fixing our roads, keeping our communities safe, supporting the most vulnerable citizens, helping people recover from illness — and much more. On any given day, you will likely be helped by a member of UPSE. Here are just some of the places you will see the difference our members make every day of the year — whether we're out on the front lines or working behind the scenes:

- providing community services in daycares, counseling centres and group homes
- helping adults learn in regional colleges, post-secondary institutions like Holland College
- serving you as a customer and protecting you as a consumer with the PEI Liquor Control Commission
- delivering quality, compassionate health care through Health PEI and other health service providers
- keeping many of our provincial Crown corporations strong and effective, from Workers' Compensation, PEI Grain Elevator Corporation and the Provincial Housing Authority
- working for you in provincial government agencies, boards and ministries such as Corrections, Agriculture, Highways, Social Services, Parks, Environment and many others

UPSE's leaders are members of the union who were elected by the members to serve in various positions such as the Vice-Presidents, the Director of your Local, your Union Steward — even the President and Secretary-Treasurer are UPSE members, just like you. This helps ensure that the union's leaders can represent you more effectively because they are familiar with the union and the issues that members face on a day-to-day basis in the workplace.

History of UPSE

UPSE has a rich and proud history of more than 75 years of serving working class people and communities within the province. The PEI Public Services Association was founded in 1945 by 100 members, and has now grown into a large union — and we are still growing.

In 1945, a small group of civil servants working in various departments of the provincial government established the “Public Servants’ Association. Initially, it was created to promote social discourse and activities among civil servants who worked in the legislative building. During that time, it was a daring step to form an association of employees even to promote social activities.

1950’s

- Sick leave
- Group Insurance
- Superannuation (Pension)
- 5-day work week
- Classification Study
- Christmas Bonus

1960’s

- union incorporates
- updated constitution and bylaws
- establishes grievance procedure
- *Civil Service Superannuation Act* in place
- first paid UPSE staff member
- 26 pay periods per year for the Civil Service
- 40 hour work week for Civil Service
- mandatory membership required

1973 was a historic year for UPSE as they achieved their first Collective Agreement with the signing of a public service agreement which included provisions for sick leave, pay equity, overtime, annual wage increases and much more. UPSE became affiliated with the Canadian Labour Congress (CLC) the same year. UPSE affiliated with the PEI Federation of Labour (PEI FL) in 1975. During the 1970s, UPSE continued its fight for workers’ rights and benefits through fair and inclusive Collective Agreements. In the 1980s, UPSE rapidly expanded its membership base beyond government and led the fight for social justice in PEI.

In 2006, UPSE elected its first female president, Shelley Ward. President Ward served until 2012 and Karen Jackson served as interim president. Later in 2012, Debbie Bovyer was the second female UPSE president elected. In 2015, Karen Jackson was elected as President, and she continues to serve as President in 2022 after winning 2 more terms. It is important to note that through this time the UPSE female membership grew to over 60% of the Union.

In its journey from 1946 to the present day, UPSE has adapted and changed in order to meet the challenges of the times. History and recent events have proven that unions and working people are often targeted by big business and their friends in government. Over the years, we have seen policy and legislative changes that were a direct attack on unions and working people’s rights and standard of living. History also suggests the only way to withstand the challenge is to be organized and fight back to win justice and dignity for all. You can contribute to the fight for justice in our workplaces and in our communities by being active in your union.

UPSE STRUCTURE AND OPERATIONS

As a member, it's important for you to understand the structure of your union and how it operates. Detailed information about the union's structure and operations, along with the composition, mandate, duties and responsibilities of each part is included in the UPSE Constitution, which can be found on the union website (www.peiupse.ca) or obtained from your Steward or by contacting a staff member.

UPSE Local Structure

UPSE is divided into 20 Locals, each based upon the respective commonality of service delivery, geographic area or employer. Members become part of the local where their bargaining unit best fits, as determined by the Board of Directors based on recommendations from the Constitution and Structure Committee.

The Locals are responsible for electing their own executive comprised of:

- Director
- Assistant Director
- Secretary
- Chief Steward
- Stewards

Each Local is responsible to:

- maintain the Steward structure at the Local level
- maintain communication and information-sharing between all bargaining units in the Local to ensure cooperative bargaining strategies and defense of Collective Agreements
- affiliate with the Board of Directors; maintain a communication network with the other locals
- ensure members are kept up to date by holding at least four local meetings per year
- select worker representatives on worksite Joint Occupational Health and Safety Committees
- promote solidarity amongst the union membership and community

What Local am I in?

Find your local on the UPSE website under "UPSE Locals"

<https://www.peiupse.ca/about/how/locals/>

What is a Bargaining Unit?

A bargaining unit is generally defined as a group of employees with a common employer and similar interests and are represented by a union. The group of employees who are included in a bargaining unit is defined in a certification order made by the Labour Relations Board. Each bargaining unit negotiates its own collective agreement that applies to all members within that bargaining unit. Members from each bargaining unit select their own bargaining committee. The bargaining committee is led by a Labour Relations Officer who is a staff member of UPSE.

In most cases, your bargaining unit is the same as your workplace. For example, if you work at Strait Crossing Inc, then that is your bargaining unit. If you work at Community Connections, you belong to the Community Connections bargaining unit. If you work at Provincial Addictions, you are part of the Health PEI bargaining unit.

For Civil Service employees most of the members share the same contract and belong to one bargaining unit, the Civil Service, Workers Compensation Board and Island Regulatory and Appeals Commission.

HOW DOES UPSE OPERATE?

Your union consists of several parts, all of which contribute to the operation and form the larger structure of the organization as described in the Constitution and by-laws and policy manual.

Annual Convention

The Convention is the supreme decision-making body of the union and meets annually. Each local elects delegates to Convention using a formula based on the number of members in the local. Other delegates to Convention are specified in the UPSE Constitution.

The Convention delegates determine union policies by debating and voting on resolutions submitted by the Locals, Executive, Board of Directors and the Union's Standing Committees. Delegates also deal with reports from Union Officers, Locals and Standing Committees as well as review the union's finances and adopt the budget.

Convention has the power to amend the union's constitution and to change the rate of union dues.

Convention plays an important role in bringing members together and creating unity. It also generates a feeling of empowerment for delegates. The opportunity to hear from members, network with members, sign up for committees, etc. is essential and rewarding. The executive is elected at Convention to carry out the will of the members. UPSE is the membership.

How Can I Attend Convention?

The Constitution and Policy Manual explain who is selected to attend the Annual Convention and the training requirements. To attend Convention, a member must attend a local meeting and be elected as a delegate.

At Convention, delegates sit with other delegates from their Local and often share opinions on the matters being debated and how Local delegates may vote.

Did You Know?

Union Dues can only be changed by a two-thirds majority vote by convention delegates.

Local Meetings

Notice of local meetings are posted on Union bulletin boards at the workplace and are also emailed to members of that local.



Voting Delegates Course

Prior to a delegate's first convention, they are asked to attend UPSE's voting delegate course. At the course, delegates are educated in UPSE procedures and convention rules of order. It is held the day before Convention.

Board of Directors

The Board of Directors (the Board) is the union's decision-making body between Convention and manages the affairs of the union. It is composed of the President, Executive, Local Directors, Co-Chair of the Stewards Council as well as the Executive Director. It is responsible for establishing the overall values, direction and policy agenda of the Union within the framework as set out by Convention and the Constitution and bylaws.

Some of the functions of the Board include:

- formation of all standing committees
- recommending auditors
- convening an emergency convention if deemed necessary
- appointing the union's representative to the Public Service Group Insurance Plan (PSGIP)
- appointing the union's representative to the Public Sector Pension Plan (PSPP)
- developing policies for good order and governance of the Union
- final decision maker on all staffing decisions
- gathering and distributing information from bargaining units and informing the membership

Executive Officers

The Executive Officers form the union's Executive Committee which meets as required and has the authority to act on behalf of the Board between meetings. The Executive may call special and emergency meetings of the Board of Directors as needed.

Union Executive

- President
- Secretary-Treasurer
- 1st Vice President
- 2nd Vice President
- 3rd Vice President
- past President (at the pleasure of the President)

Standing Committees

The composition, mandate and duties of the UPSE Standing Committees are outlined in the UPSE Constitution and the Board of Directors.

Standing Committees make recommendations on policy development, hold regular meetings and coordinate activities and events within the union, according to their mandate.

Standing Committees as of September 2022

Constitution and Structure Committee

Education Committee

Finance Committee

Membership Services & Communications Committee

Public Relations Recreation & Convention Committee

Women's Committee

Young Workers Committee

UPSE Staff

UPSE staff are a vital part of the union's ability to represent and provide services to members. They bring a wealth of knowledge, professional skills and experience to your union, and are located at the head office in Charlottetown.

The President and Executive Director provide important management and supervisory functions, as well as support to the senior leadership of the union.

Constitution and Policies

The Constitution and Policy Manual are your union's guidebooks or user manuals on how it will conduct business. Both documents contain rules, policies and guidelines that have been determined by members at the Annual Convention or at the Board of Directors.

These documents define how UPSE is governed and how it functions.

How Do I Change the Constitution?

The Constitution can only be amended at Convention by a two-thirds majority.

Members: Please Update Personal Contact Information

The union encourages all members to take an active role in the union by keeping up-to-date on union news and issues. To ensure you receive the most recent UPSE communication materials, please update your contact information with the union.

Call Norma Jarvis at the union office (902-892-5335, toll free 1-800-897-8773) to ensure your current contact information is up-to-date, or to make changes. You can also visit the UPSE website and go to the [update your contact information](https://www.peiupse.ca/members/update/) (<https://www.peiupse.ca/members/update/>) link under the **Members** tab on the homepage where you can update your information on-line.

Your Union Dues

Unions are funded entirely by their members. Everyone who belongs to the union contributes a small portion of their wages and, in return, the money is used to provide a wide range of services to the members and for general union operations. By each member contributing a small amount to a common pool of money, this collectively provides more buying power for each individual member and the union.

Your union dues consist of a base amount that is deducted by your employer from your regular pay. The amount of dues paid by each member is established in the UPSE Constitution and can only be changed by a majority vote of elected delegates at Convention.

Your dues are used for such things as

- hiring professional staff who provide service, support and representation for members
- contract negotiations
- arbitrations and legal costs
- steward training
- member education
- communications and campaigns
- organizing new workplaces
- supporting the activities of the union's committees; and much more

Did You Know?

Every full-time UPSE Member pays a flat dues rate. Dues are currently \$18.50 per pay.

A portion of your dues is also set aside in a strike defense fund, which is a savings account that helps provide financial assistance to members in the event of a strike or lockout.

Although the dues you pay is minimal, they bring you many worthwhile benefits!

- your union negotiates Collective Agreements or contracts that provide higher wages for you. Studies show that as a full-time unionized worker, you earn more than non-union workers.
- when you, your spouse or children need dental work or eyeglasses, your health benefits help pay the bill.
- when you're ill, you have paid sick leave.
- if someone in your family is sick or dies, you may have access to emergency family or bereavement leave.
- if your job is abolished, you may have bumping rights or access to severance pay.
- when you're treated unfairly at work, your union will represent you and try to resolve the problem with the employer on your behalf.
- when your Collective Agreement is ignored or broken by the employer, your union can file a grievance or use problem-solving approaches to address the situation. You will have union leaders and professional staff available to assist in the process.
- to help develop your leadership skills and knowledge, the union will provide education and training courses, as well as bursaries and scholarships for children of members.

- to keep you aware of the union's activities and actions, the union will ensure a variety of communications channels are in place.
- when the government brings in legislation that takes away social programs and other benefits for workers and the unemployed, your union will fight for justice.
- your union will launch campaigns to improve conditions in workplaces and communities, either alone or in solidarity with other unions and labour organizations.
- your union advocates on behalf of members and all Islanders to improve worker-friendly budgets, policies and legislation as well lobbying on several issues that are important to all Islanders such as housing, mental health and addictions, diversity and inclusion.

UPSE AND THE BROADER TRADE UNION MOVEMENT

UPSE is a large and diverse union that is accountable to its members. We always put our members' interests first and work to improve your working conditions. We have joined with other unions to tackle common causes, especially in the areas of social justice and economic prosperity for all working people and our communities.

Your union is also part of a number of larger labour organizations that provide support and assistance when needed. UPSE is affiliated with the PEI Federation of Labour which is a provincial federation of unions representing over 16,000 working people in dozens of communities across PEI. As an affiliate of the Federation, UPSE has an even stronger voice on the provincial scene. The Federation of Labour provides coordination and advocacy on issues that affect all working people, such as occupational health and safety, pensions, labour standards, minimum wage, equal pay and childcare.

UPSE is also affiliated with the National Union of Public and General Employees (NUPGE). NUPGE is a federation of unions from across Canada, which includes almost 400,000 members who work mainly in delivering public services to the citizens in their home provinces.

NUPGE's mission as a national union is to:

- monitor provincial and federal labour laws and developments
- analyse the restructuring of social programs and public services
- report on and contribute to legislation affecting the workplace
- give its members a national presence through participation in the Canadian Labour Congress, and internationally, through Public Services International
- develop and share successful bargaining strategies with its component unions
- distribute to a national framework of services and solidarity to benefit all Canadian workers

What's in it for me?

Paying union dues is like buying insurance. You might not use the services, but when you need help, the union is there with a collective defence to support members.

NUPGE also assists its members by staying on top of national developments, providing research and analysis in such areas as federal-provincial transfer payments, national standards for health and social programs, tax policies, Canada Pension Plan, and changes to Employment Insurance. You can find out more about NUPGE at www.nupge.ca.

Through NUPGE, UPSE is affiliated with the Canadian Labour Congress (CLC) which is the largest labour organization in Canada. The CLC brings together dozens of national and international unions, provincial and territorial federations of labour and community-based labour councils to represent 3.3 million workers.

The CLC helps unions be a positive force for social change to improve Canada for everyone. Some of the work done by the CLC includes:

- political advocacy for the creation of better and more secure jobs, better public pension plans and retirement security, a stronger public health care system, affordable and accessible childcare, as well as legislative changes that strengthen workplace safety, collective bargaining rights and employment equity.
- education programs in workplace health and safety, fighting racism and discrimination, media and public relations, economics, campaign management, human rights and global solidarity, as well as workplace representation and union Steward training.
- nationally recognized research and analysis done by CLC staff on issues such as working conditions, health and safety, wages and benefits, healthcare, pensions and retirement security, immigration, training, employment insurance and social and economic equality.



Congrès du travail du Canada
Canadian Labour Congress

More information about the CLC can be found at www.canadianlabour.ca.

On the broader stage, UPSE is a member of the International Trade Union Confederation (ITUC) through our affiliation with the CLC. ITUC is the global voice of the world's working people. Its primary mission is the promotion and defense of workers' rights and interests, through international cooperation between trade unions, global campaigning and advocacy within the major global institutions. Its main areas of activity include trade union and human rights; economy, society and the workplace; equality and non-discrimination; and international solidarity.

ITUC has a close relationship with the Global Union Federations and the Trade Union Advisory Committee (TUAC) to the Organization for Economic Cooperation and Development (OECD). It also works closely with the International Labour Organization (ILO) and several other United Nations specialized agencies. Visit www.ituc.csi.org if you'd like to learn more about the organization.



You and Your Workplace

Your Rights at Work

There are three primary areas that provide for and protect your rights at work:

- your Collective Agreement
- provincial legislation, regulations and statutes
- federal constitution, legislation, regulations and statutes

The Canadian Charter of Rights and Freedoms is a part of the Constitution of Canada. The Constitution is the supreme law of Canada and along with The British North America Act of 1867 contains rules about how our country operates and the powers of the federal, provincial and territorial governments. All other laws must be consistent with the rules set out in the Constitution, otherwise they are likely to be declared invalid – unconstitutional and be struck down. Since the Charter is part of the Constitution, it is the most important law we have in Canada.

It also provides for reasonable limits to Charter rights that are justifiable in a free and democratic society. This

provision is contained in Section 1 of the Charter and has been

used by the Supreme Court of Canada to protect key collective rights upon which the Canadian collective bargaining system depends.

Provincially, the *PEI Human Rights Act* protects your right to dignity and equality. Human rights are so important that the *Human Rights Act* takes precedence over all other provincial laws. The Prince Edward Island Human Rights Commission (PEIHRC) is an independent agency that is responsible for administering and enforcing the [PEI Human Rights Act \(https://www.peihumanrights.ca/prince-edward-island-human-rights-act\)](https://www.peihumanrights.ca/prince-edward-island-human-rights-act). The Act prohibits unequal and prejudicial treatment based on defined personal characteristics, also known as prohibited grounds of discrimination.

A team of dedicated staff members are responsible for the daily operations of the Commission which include education, investigation, complaint resolution, and advising government. Discrimination is unfair action taken against others because they belong to a certain group. It denies people benefits and opportunities that are necessary for a decent life, like jobs or housing. Discrimination can flow from prejudice, negative stereotypes, or a failure to consider the needs of others. Sometimes discrimination is deliberate and direct. It can include such things as racist insults, sexual harassment, or the refusal to hire people because of their age or religion.

Discrimination can also be indirect or unintentional. One example would be an Access PEI Office that can only be reached by a flight of stairs. People who use walkers or wheelchairs are unable to use the service, even though no one intends to exclude them.

Did You Know?

The Charter of Rights and Freedoms sets out rights and freedoms that Canadians believe are necessary in a free and democratic society, including such things as:

- freedom of expression, thought, belief and opinion
- right to democratic government
- right to live and seek employment anywhere in Canada
- Indigenous peoples' rights
- the right to equality
- freedom of peaceful assembly and freedom of Association.

Your Rights

According to the *PEI Human Rights Act* it is against the law for someone to discriminate against any person because of factors called “prohibited grounds” which include discrimination in relation to age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation, or source of income of any individual or class of individuals. Discrimination is prohibited in employment or occupations; education; housing; publications; public services (restaurants, stores, hotels, government services, etc.); contracts or purchase of property, and professional associations or trade unions.

Employers, service providers and others have a duty to make reasonable efforts to assist people who could otherwise be denied opportunities because of gender, disability, religion, or other illegal grounds of discrimination. Accommodation is required unless it would cause an undue hardship. For example, employers may have to adjust working conditions or provide technical aids so people with disabilities can participate in the workplace. More information about the PEI Human Rights Commission and the process to file a complaint is available at <https://www.peihumanrights.ca/>

The rights of working people in the province, whether they belong to a union or not, are protected by the *PEI Employment Standards Act* which applies to most employees and employers with some exceptions. This legislation provides minimum standards; however, an employer can choose to exceed these standards. And, when you are a member of a union, the union will help to negotiate improvements to minimum standards.

According to the *Employment Standards Act*, workers are guaranteed some of the following minimum rights:

- employees must be paid at least minimum wage for each hour worked or spent at the disposal of their employer.
- in most cases, an employer cannot fire an employee for missing work because of illness or injury.
- employers can dismiss employees only for “just cause.”
- employers must pay employees on their regularly scheduled paydays.
- employers cannot discriminate against their employees by paying them differently for performing similar work based solely on an employee’s sex or based on any of the prohibited grounds in the Human Rights Act.

“Similar work” means the work for the employer that is done in the same workplace, under similar working conditions and work that requires similar skill, effort, and responsibility to perform.” Overtime must be paid at the rate of at least 1.5 times the employee’s hourly wage rate.

Under occupational health and safety provisions in the *PEI Occupational Health and Safety Act* (OHS) every employee has:

- the right to know the hazards at work and how to control them.
- the right to find and control workplace hazards.
- the right to refuse work, which you believe is unusually dangerous.

These are minimum standards for workers, but your union membership means you have a Collective Agreement that gives you more than the minimum standards in most cases.

Respectful Behaviour and Protection from Harassment and Discrimination

Respect and Dignity in the Workplace

We all deserve to be treated with respect and dignity in our workplace. When people at work offend, embarrass or humiliate us, it affects our wellbeing. It also hurts our working relationships and can lower our productivity. Over time, disrespect in the workplace can lead to an unhealthy work environment and a high rate of employee turnover. According to the *OHS Act*, it is the responsibility of the employer to provide a safe and secure work environment for you. But as an employee, it is your duty to behave in a respectful manner. Every employer on PEI must have a written harassment policy and procedure to investigate any complaint. The employer has a duty to ensure that all employees are aware of the harassment policy and that it is followed.

What if you feel disrespected or face disrespectful behaviour at work?

If you feel you have been treated with disrespect, it's important to speak up about the incident. Politely but firmly explain ask the person to stop the behaviour and explain the impact on you. If you don't feel comfortable speaking up on your own, seek support or assistance from your union Steward. If you feel that things are getting worse, speak with your Steward about filing a complaint.

The employer has an obligation to deal with the situation so that your workplace is safe and healthy. Be sure to keep detailed records of the disrespectful behaviour, including date and time, the offender, witnesses, etc. Keep copies of relevant documents like email or other electronic information. This will help in justifying your case. Your Steward will understand the sensitivity of the situation and will confidentially handle the issue.

What if you observe disrespectful behaviour at work?

Many times we witness disrespectful behaviour at work, even if it is not directed at us and we don't feel impacted by it. However, it's important for all of us to speak up if we see disrespectful behaviour in the workplace because it can be poisonous to the entire work environment. Try to speak informally and confidentially to the person who is being disrespected; state what you observed and ask if there is a way you can support them. Respect the person's wishes if they are uncomfortable and don't want to share the story. If they agree to speak to you about it, listen and encourage the person to contact a union Steward.

Remember, if a formal complaint is filed, you will be called upon as a witness to describe the incident, so it's important to keep detailed records of what you saw.

What if you are accused of disrespectful behaviour?

First and foremost, do your best to treat everyone in your workplace with dignity and respect, even if you don't always agree with them. If anyone complains about your behaviour, you should stop and reflect, and then work to change your behaviour. Sometimes, we might not realize or feel our behaviour is inappropriate but the impact upon the receiver might be negative. If your colleague files a complaint against you and you don't understand it or need advice, contact your union Steward. You can be disciplined by your employer for disrespectful behaviour. Remember, UPSE and all employers have zero tolerance for any kind of offensive behaviours or violence in the workplace.

Collective Agreement

It's important to note that if the victim of the harassment and the accused are both members, the union has an obligation to represent both members. If you think that you are being unjustly accused, then speak to your union Steward. An investigation will be conducted before any further actions are taken.

If you would like further information about harassment or discriminatory practices in the workplace, please refer to the appropriate sections of *Occupational Health and Safety Act Workplace Harassment Regulations* as well as the *PEI Human Rights Act*. Since 2000, UPSE members are protected from harassment and bullying at Union activities as a result of the establishment of the UPSE Harassment-Bully Free Policy. The intention of the policy is to ensure that all UPSE members feel comfortable and safe while participating in social activities and events.

Your Collective Agreement and Why it's Important

A collective agreement is a legal contract negotiated, agreed to and signed by the employer and the union (often referred to as "the parties"). Both the employer and the union are bound by law to abide by the terms and conditions of the Collective Agreement. It is a "rule book" that defines working conditions and sets out the rights and responsibilities of the employer and employees.

Some of the provisions contained in your Collective Agreement include:

- definition of employment status (permanent, part-time, casual, etc.)
- hours of work
- wages
- vacation leave
- sick leave
- staffing process for vacant positions
- seniority
- grievance procedures
- disciplinary process



There can be many more. It's important to read and get to know your collective agreement. It will help you know what to expect at your workplace. It will also help you learn when you have been treated unfairly and need to file a grievance. Your agreement is unique to your bargaining unit and may be different than contracts in other bargaining units and workplaces. If you have difficulty in understanding anything in your collective agreement, contact your steward who can help explain things. The PEI Department of Labour maintains a repository of every collective agreement in force in the province for those employers governed by provincial labour laws. Some collective agreements, between a federally regulated employer, like Strait Crossing Bridge Limited, are maintained by the federal government. A copy of your collective agreement can also be found on the UPSE website at www.peiupse.ca.

Did You Know?

UPSE negotiates 15 separate and unique collective agreements

Who Decides What's Included in your Collective Agreement?

Your bargaining team negotiates your collective agreement on behalf of all members of the bargaining unit. Everyone can put their name forward to be on the bargaining team, which follows a democratic selection process by the members. Even before the bargaining team is selected, every member is sent a **demand form** asking for each member's priority for enhancements to the collective agreement. The bargaining team then meets to review the demand forms and sets a strategy for bargaining based on demand forms.

Negotiations are usually confidential and very little detail can be shared outside the bargaining team. When the team reaches a tentative agreement with the employer, the details are then shared with all members who then vote by secret ballot whether to accept or reject the agreement. The negotiation process can take many weeks and even months to arrive at a final agreement. The Constitution and UPSE's policy manual explain the bargaining process in detail, including guidelines, roles, responsibilities and composition of the bargaining team.

What to do if you HAVE QUESTIONS or run into Problems at Work

The workplace can be complicated. Sometimes you feel like you have been treated badly by a co-worker or your supervisor. And sometimes you have questions about a decision made by your employer. Other times, you believe your boss has not followed the rules outlined in the collective agreement. Or maybe you're worried about how to approach your supervisor to ask them to reconsider your request for time off. And, one day, maybe your supervisor asks you to come to a meeting to discuss something they believe you did wrong at work.

Do you Have Questions About Work?

Your contract, wages, hours, benefits and rights on the job?

Work rules and policies in your employee code of conduct?

How your union works and who the Local union officers are?

Member events or meetings?

Contact your Steward

What should you do?

The first thing you should do is contact your Steward. This is especially important if you are called in to a meeting with your supervisor that might lead to discipline. As soon as you find out about such a meeting, notify a Steward. They will provide advice and support, and act as your representative to help resolve problems you encounter at your workplace. If you are not able to find a Steward at your workplace, call the union office and staff will arrange for a Steward to attend the meeting with you. Remember — you have the legal right to request union representation during meetings with supervisors and managers that could lead to discipline. Once you discuss your situation with your Steward, you can decide what action to take. If you have any questions your Steward can help.

Who or What is a Steward?

A Steward is a union member responsible for handling members' problems in the workplace, attending disciplinary meetings between the members and management; educating members on union policies and activities; and getting the members involved in the union. The Steward is the backbone of the union. Stewards are members like you who volunteer to be the union's main point-person at your workplace. They are elected by members, and serve a two-year term, as per the Constitution.

UPSE has developed specific educational courses and material to equip Stewards with hands-on skills and knowledge, so they are able to carry out their responsibilities. UPSE staff and leaders are available to answer questions or assist Stewards if they need support. Stewards are there to answer your questions and queries and provide the information you need at work to resolve problems at the workplace level whenever possible. They can provide advice or information about your collective agreement, the Union and workplace issues. If a Steward is unable to resolve the issue, a Labour Relations Officer will get involved to file a grievance on your behalf if needed.



Your Steward can Help in Many Ways

Don't underestimate the power of your Steward — they have the same rights as your supervisor while they are representing you.

Your Rights and Responsibilities as a Member of UPSE

As a union member, you have both rights and responsibilities. These are spelled out in the Union's Constitution and Policy Manual. If members know their rights and abide by their responsibilities, it makes the union stronger. And a stronger union is better for all of us.

What are some of your Rights as a Member?

- you have the right to express your opinions to the union and have them heard and respected.
- you have the right to receive information about union activities, events, etc.
- you have the right to participate in union education provided by UPSE.
- you have the right to vote in a fair and democratic process to decide who will fill leadership roles in the union.
- you have the right to see the union's budget and financial report.
- you have the right to have your concerns resolved in a fair and respectful manner.
- you have the right to fair union representation.

What are some of your responsibilities as a member?

- you should be aware of the union's policies and practices.
- you should read and try to understand your Collective Agreement, seeking assistance from your Steward if necessary.
- you should know the name and contact information of your Steward and other union leaders such as your Local Director.
- you should become familiar with steps to follow in case you encounter problems in the workplace.
- you should keep yourself updated about union actions, events and activities.
- you should participate in your Local meetings, union activities and encourage others to do so.
- you should respect UPSE policies at work and during union meetings, activities and events.

Education and Training Opportunities for UPSE Members

One of the important functions of UPSE is to educate our members so they have a better understanding of and can fully participate in union activities. UPSE offers in-class education where members from different employers and locals get the opportunity to meet and exchange their experiences. UPSE relies on experiential learning as much as possible.

In-person classroom training is preferred for Stewards, other elected leaders or members and often cannot adequately be replaced with online or distance education. UPSE offers various training courses for members, Stewards and union leaders, both in the classroom and on our website. Your union is constantly developing relevant, new educational materials. If you have any specific educational needs or suggestions, please email peiupse@peiupse.ca and they will be considered as new courses are developed in the future. UPSE provides different courses for Stewards and members. You might be interested in some of the following:

Welcome to UPSE

You will learn the structure of UPSE, establish skills in problem solving and gain confidence in your ability to be knowledgeable about your union. This course is open to any UPSE member who would like to learn more about their union. It includes a review of the history of the Union, the union's organizational structure, what UPSE does for Union members, the role of the Steward in a union as well as a brief review of grievance and collective bargaining processes. Pensions and benefits of members are also discussed. Finally, the course informs members of their role within the Union and how to carry it out effectively. Welcome to UPSE is the first step for any member who would like to become involved in UPSE. One recent attendee of *Welcome to UPSE* stated:

"There seems to be a lot more I can learn but I feel so much more informed. I also wasn't aware of all the different organizations that are a part of the UPSE Union. That was interesting to learn."

Welcome to UPSE is a prerequisite for most UPSE sponsored educational offerings.

Prerequisite: Open to all members

Steward Level I

An UPSE member contemplating taking on a Steward role within their local but are not yet trained are encouraged to register for Steward Level 1. No member may represent a member until they are trained as a Steward. At Steward Level 1 you will learn:

- The important role Stewards play in the union
- What tools are required to act effectively in the role of the Steward.
- What makes unions strong?

Prerequisite: Welcome to UPSE

Steward Level II

Steward Level 2 is the second step in Steward education. This course focuses on representation issues, knowing the membership you work with, linking with the local and union executive, identifying grievances, developing problem solving and conflict resolution skills. A consistent theme through the course is the role of a steward as both an enthusiast and activist. The importance of the duty of fair representation and the duty to accommodate are discussed at length.

Prerequisite: Steward Level I and must be elected as a Steward at a local meeting



Advanced Steward

This 2-day course is the culmination in the UPSE Steward series and is provided to Steward Level 2 graduates with some experience working with and representing members. High level steward skills are practiced in Advanced Steward. Several role plays are used to give the Steward an opportunity to do case studies and develop strategies and arguments to defend a worker. Advanced Steward will develop skills and knowledge in gathering relevant information to assist in possible grievances. Grievances concerning the duty to accommodate, dealing with management, and harassment will be studied. The course will build confidence and enhance your ability to act as educator in your Local.

Prerequisite: Welcome to UPSE, Steward Level I and II and must be elected as a Steward at a local meeting

Mental Health in the Workplace

This course emphasizes the importance of maintaining good mental health and understanding mental health conditions. You will learn about the nature of stress in the workplace. This course emphasizes the importance of maintaining good mental health and understanding mental health conditions. You will learn about the nature of stress in the workplace and some strategies to manage stress. Attendees will discuss the ways people can help themselves cope with the aftermath of dangerous or traumatic situations at work so they can minimize the risk of suffering long term impacts on their mental health.

Prerequisite: Welcome to UPSE

Violence in the Workplace

Violence in the workplace is a serious issue. All workers have a right to a safe and healthy workplace. The course will address:

- what constitutes workplace violence and how common it is
- the difference between harassment and violence
- what extent is the employer accountable for workplace violence
- what can be done to reduce incidents of workplace violence?

Prerequisite: Welcome to UPSE

Addressing Workload

Address workload issues and the stress it causes using the collective agreement, Occupational Health and Safety Act provisions as well as employer policies and WCB policies

Prerequisite: Welcome to UPSE

Planning for the Future - Financial Management

This course is for all members interested in learning more about pensions, investing, life insurance and health care benefits. The course will assist those who want to secure their financial health for themselves and their loved ones.

There is no prerequisite for this course.

Scholarships and Bursaries for Members and their Dependents

UPSE awards one of fourteen bursaries annually to eligible union members, spouses or dependants, who are in full-time attendance at an accredited college or university. There are twelve bursaries valued at \$500 and two at \$1,000 which includes the Laurie Jenkins Memorial.

“Money can’t buy happiness but it does pave the path . This bursary helped alleviate some of my financial burden , which allowed me to work at my full academic potential. I’m truly grateful for UPSE for lending a helping hand in paving the path to my success and happiness.”

UPSE is proud to offer this support as part of its ongoing efforts to promote the importance of life-long learning and education. The bursaries and the scholarship shall be awarded to students who are members of UPSE, or who are a spouse or a dependant of a UPSE member (members must be in good standing).

In order to qualify, recipients must be enrolled full-time at a post-secondary institution. Bursaries are available for both in-province (including UPEI and Holland College) and out-of-province studies. Both the bursaries and the scholarship are for the second semester (after Christmas) and are awarded based on the approved criteria.

UPSE and You!

Getting Involved in the Union

UPSE works for you, but it also works because of you! The involvement, determination and unity of our members makes UPSE strong and it helps make membership worthwhile.

UPSE values every member. We want you to feel welcome in the union and at our events. We want to provide good service to members in their workplace. We want to focus on the issues that are important to you. To do that, we need your input and your involvement. Sometimes, members aren't sure how to get involved. Or some members might not have time in their busy lives to give much attention to the union. But there are many ways to stay connected and to contribute.

Here are just some of the ways you can be involved in your union:

- fill out a union card either in person or on the website.
- get a copy of your collective agreement.
- attend Welcome to UPSE and other educational sessions.
- attend your Local union meetings, keep yourself updated. And get to know your Local Representatives
- stay informed by reading information sent to you by the union via email, Canada Post or in other ways. Regularly check the UPSE website and follow the Union on social media.
- when your Local or Bargaining Committee asks for your input or opinions, take a few minutes to respond.
- convey the information you learn to other members.
- follow us on social media, like and share our posts for others to see.
- participate in the union's elections — by voting or running for a position — and encourage other members to do so.
- know your union representatives at your workplace (i.e. Stewards and Local leaders).
- if you have suggestions or questions, connect with your Steward or Director, or contact the Union office. We are always happy to hear from our members.
- read and understand your collective agreement and the union's Constitution, Policies and Bylaws.
- attend union meetings and activities or volunteer to help. Bring your family or friends — there are often a lot of fun, family-friendly opportunities for everyone at our rallies and social events.
- encourage your coworkers to get involved.
- check out UPSE's union merchandise that includes everything from shirts and hats to coffee mugs and key chains.
- attend a UPSE, PEI Federation of Labour, NUPGE or CLC convention.



How to Find Out About UPSE Activities and Events

WEBSITE

Visit our website regularly at www.peiupse.ca

SOCIAL MEDIA

Follow us on our social media accounts:

Facebook: <https://www.facebook.com/upsepei>

Twitter: <https://twitter.com/PeiUpse>

YouTube: <https://www.youtube.com/user/PEIUPSE/videos>



ADVOCATE

Four times a year, UPSE publishes THE ADVOCATE newspaper which is distributed to members home addresses or via email and gets posted on the union website and through our social media platforms.

ACCENT

The Accent is published semi-monthly to keep members up to date on current events, upcoming elections, local meetings and training opportunities.

KEEP YOUR CONTACT INFORMATION CURRENT

We can't provide you with up-to-date information or breaking news about events or important things like bargaining updates if we don't have your current contact information.

Frequently Asked Questions

What Does it Mean to be a Member?

A member is someone who has all the rights and privileges of being an UPSE member. To become a member, you must:

- be employed by an employer in a bargaining unit that UPSE represents (see below);
- be paying dues; and
- have signed a membership card and submitted it to the UPSE Office.

When you are a member, this will enable you to participate in the following:

- elections of your local executive officers and bargaining representatives
- attend convention to make decisions on the direction of the union

- become a steward
- run for Director of your Local
- run for Executive Office
- submission of bargaining proposals; receipt of tentative collective agreements and - voting on acceptance or rejection of same
- receipt of the UPSE newsletter, *The Advocate*
- admission to relevant UPSE education courses
- assistance and advice from UPSE staff
- eligibility (for you and your dependents) for the bursaries and scholarships awarded annually to post-secondary students
- a broad range of sporting, recreational and social events
- a wide range of discounts (see list on next page) from local businesses; and many other benefits

Did You Know?

UPSE encourages members to complete their membership registration online here:

<https://www.peiupse.ca/membership-registration/>

Once the union office receives your completed registration, you will be sent an official *UPSE Membership Card* and added to the union's membership rolls. You will then become eligible to participate fully in all PEI UPSE activities.

How do I obtain a Collective Agreement?

Collective agreements are distributed or made available in 3 ways:

- handed out at meetings by Union officials
- members call or e-mail the Union Office and they are sent to their mailing or e-mail address
- by selecting "[Collective Agreements](https://www.peiupse.ca/members/agreements/)" (<https://www.peiupse.ca/members/agreements/>) on the UPSE website

What are Stewards?

UPSE Stewards are the union's representatives who represent members at the workplace and resolve issues before they lead to grievances. Stewards also build unity and promote involvement among members in the workplace. Stewards are the first people to speak to when workers have questions, concerns or need representation in the workplace. Although Stewards are not expected to solve every problem instantly and completely, they help by providing coworkers with useful information.

Do I Need to Use Vacation Time from Work to Attend Union Events or Conduct Union Business?

In most cases a union member does not use vacation to participate in union activities. If members are away from work attending union business, an UPSE event or an educational session, their employer(s) are reimbursed for the time missed.

What is Duty to Accommodate?

Employers, service providers and others have a duty to make reasonable efforts to assist people who could otherwise be denied opportunities, access and benefits because of gender, disability, religion, or other protected grounds under the *Human Rights Act*. This is called the “duty to accommodate.”

Employers and unions have a legal duty to accommodate the needs of employees with protected characteristics who are negatively impacted by an employment requirement, rule or standard. An employer must make necessary accommodations for those affected employees unless it would cause an undue hardship for the employer.

Examples of an accommodation:

- allowing a flexible work schedule
- modifying job duties
- modifying workplace policies
- making changes to the building (for example, installing ramps, handrails, automatic door openers, wider doorways, etc.)
- modifying workstations (making ergonomic changes, supplying a specialized chair, back support, etc.)
- providing specialized adaptation or assistive devices for computers, accessible technology
- providing alternative ways of communicating with the employee
- additional training
- allowing short-term and long-term disability leave
- alternative work/finish times to accommodate family issues

What is the UPSE Harassment and Bully-Free Policy?

Your union is committed to equality and providing a harassment-free environment during all union activities. As such, the Union developed a statement of equality: union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behavior that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behavior that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment. Harassment or bullying of any kind is a serious offense. UPSE will not tolerate nor condone behavior which may undermine the dignity or self-esteem of any individual or which may create an intimidating or offensive environment. UPSE is committed to providing a harassment bully-free environment at all UPSE meetings and events including in-camera sessions.

The complete policy is available on the UPSE website at www.peiupse.ca

Complaint Procedure

If you have an issue or concern about the conduct of an elected official or member as it relates to union activity, there is a formal process in place:

1. all complaints must be directed, in writing, to the President or the Secretary Treasurer of UPSE with seven (7) days of the incident. If received by the Secretary Treasurer, they will inform the President immediately.
2. all written complaints will be investigated in a confidential manner by a committee appointed by the Executive Officers. The respondent and the complainant shall have the opportunity to name an UPSE member in good standing to act as their representative during the investigation.

NOTE: If any member of the Executive has been named in the complaint, they shall not be involved in any part of the investigative process unless requested by the committee.

3. all complaints will be taken seriously. The appropriate level of discipline will be determined for substantiated complaints.

How can I Find Out More About UPSE?

UPSE is a large organization, whose structure can sometimes seem complicated. The longer you are active and the more questions you ask, the more familiar you will become with your union. Sign up for the Welcome to UPSE and Steward Level 1 to understand more about how your union works. Attend a local meeting and speak to a Steward to find out what is going on at your workplace. Sign up for the newsletter or check the union bulletin board in your workplace.

Who Runs the Union?

The union is run by its members. When you become a member of UPSE, you have the right to run for an elected position or elect representatives to be the leaders of your union. You also elect the members of the bargaining team who represent you in negotiating a new collective agreement at the bargaining table with management.



What does Seniority Mean?

Seniority broadly means length of service with an employer or the amount of time an individual has served in a job or worked for an organization. Seniority clauses and requirements are defined in your collective agreement. Depending on your collective agreement, seniority is considered during the selection criteria for qualified candidates, and awarding vacation requests (in some agreements). In the event of layoffs, seniority may be a factor. If you need help in understanding seniority, contact your Steward for the particulars of your collective agreement.

What does the Union do?

The primary job of the Union is to serve its members by negotiating, interpreting, and enforcing a collective agreement that establishes working conditions, wages and other benefits for all workers under its jurisdiction. The union also protects workers' rights by

representing Members to resolve day-to-day problems on the job such as discipline, violations of seniority, harassment, discrimination, or other management abuse. Additionally, the union addresses other workplace concerns such as safety and health issues.

How can I Find out What's Going on in the Union?

You can stay informed by attending union Local meetings and participating in the union activities and events. Your Steward and Local union officers can answer questions you may have about specific union programs and policies. Additionally, you can stay informed about union activities by regularly checking the UPSE website and following UPSE on social media. Be sure to read newsletters, emails, and mail sent to you by your union. And, ensure the union has accurate contact information for you, including your mailing address, cell phone number and personal email address.

I Think I have a Grievance, Now What?

If you think that there has been a violation of your collective agreement, speak to a steward at your workplace. The Steward can attempt to resolve the issue with the supervisor at your workplace. If there is no resolution, the Steward will support you in bringing your concern to a Labour Relations Officer (LRO) at the UPSE Office for them to investigate and attempt to resolve. If you do not have a Steward at your workplace, you can contact the UPSE office and speak to directly to an LRO.

The LROs generally resolve workplace issues without having to go through the grievance process. Sometimes a resolution cannot be achieved to the Union's satisfaction and the grievance procedure is used. It is important to remember that the collective agreement is a contract between the employer and the Union. The Union ultimately decides whether a grievance will be pursued.

Grievance Procedure:

1. The LRO will investigate the grievance keeping in mind any time limits in your specific collective agreement.
2. The Union sends a letter to the employer's Designated Representative outlining the details of the grievance and awaits a response within the time set out in your collective agreement. You will also receive a copy of their response and next steps will be discussed with you. Depending on your collective agreement, there are many steps in escalating a grievance which may take several weeks for the employer to respond and then the Union to respond back to the employer.
3. If the grievance cannot be resolved after all the steps in the grievance process are completed, the final step is arbitration or mediation. This is where the parties agree to engage an independent third party (usually an out-of-province lawyer) to hear the arguments to make a decision on the merits of the case. Because this is specialized work, applying to arbitration and scheduling a hearing can take several months and sometimes up to a year to resolve.

At any point during the grievance and arbitration process, if you are wondering what is happening with your grievance, contact the LRO involved for an update!

Glossary

There are certain terms used by workers, union members, employers, the government and others when speaking about unions, the labour movement and the workplace. As with many things, we're not always familiar with the terminology that is used. Some of the most common terms include:

Arbitration

A method of settling disputes outside of the legal court system, through the intervention of an impartial third party, either an individual or a board/panel. If both sides agree to be bound by the arbitrator's decision, it is called binding arbitration. Arbitration is often used to settle major grievances and contract interpretation disputes.

Arbitrator

An impartial person usually chosen by both the employer and union and sometimes appointed by government. An arbitrator is a professional that works to increase communication between two sides of a dispute to help resolve a dispute between the parties.

Bargaining Agent

The union designated by the Labour Relations Board as the exclusive representative of all employees in a bargaining unit for the purposes of collective bargaining. UPSE is your bargaining agent.

Bargaining Unit

Group of employees united by the provincial Labour Relations Board, for representation by a union for the purpose of collective bargaining and covered by the same Collective Agreement.

Binding Arbitration

Process under the Labour Relations Board, following unsuccessful negotiations between the employer and the bargaining team in which a three-person panel or board is formed, and each party presents their outstanding matters for resolution stating the desired outcome. The union selects one panel member and the employer selects the other with the third person, the Chair, appointed by the Minister. The decision of the arbitration board is final and binding on the employer and union and comprises part of the collective agreement and binding upon the parties and upon any employee or employer affected by it.

Bylaws

These are the set of rules that apply to all union members as well as the union's governing bodies, standing committees, and locals. The bylaws are created and voted on by members of the union.

CLC

The Canadian Labour Congress is the largest labour organization in Canada and represents more than three million workers by bringing together dozens of unions, federations of labour and labour councils under its umbrella. UPSE is affiliated with the CLC.

Check-Off

The practice where the employer automatically deducts the required union dues from an employee's wages and remits these funds to the Union.

Collective Agreement / Contract

A legally binding written contract, arrived at through the process of negotiations, which covers such things as the employee's wages, hours, and terms of conditions of employment. This written agreement between the Union and the Employer is for a definite period, defines the rights of employees and the processes for resolving disputes or handling issues that arise during the term of the agreement.

Collective Bargaining/Negotiations

A process where the Union and Employer make offers and counteroffers back and forth regarding their employment relationship, for the purpose of reaching a mutually acceptable Collective Agreement and the execution of a written document that is binding for both the Employer and the Union.

Disability

An impairment that affects a person's life activities and may be present from birth or occur any time during life. It may emerge from cognitive development, intellectual, mental, physical or sensory factors or a combination of these. Disability has also been defined as any severe and prolonged condition that inhibits a person from performing routine daily activities.

Discipline

Discipline is the action taken by an employer against the employee for any wrongdoing or misconduct at work and can range from a simple verbal warning to a written warning, temporary suspension or even dismissal. The discipline is generally intended to help correct an employee's behaviour.

Discharge/Dismissal

The act of removing or terminating someone from their job. If an employer does not have just cause to terminate you from your job, you may be able to file a grievance asking to be reinstated. You may also be able to file a grievance if you are terminated due to misconduct or work performance.

Discrimination

Treating a person or persons differently, negatively or adversely because they belong to a certain group or have certain characteristics. Discrimination based on religion, creed, marital status, family status, sex, sexual orientation, disability, age, color, ancestry, nationality, place of origin, race or perceived race, receipt of public assistance and gender identity is against the law.

Duty of Fair Representation

The union's legal duty to represent every employee in a bargaining unit equally, in good faith and without discrimination. Representation must not be arbitrary or in bad faith. If a union fails to properly represent its member, a member can file a complaint against the union with the Labour Relations Board.

Duty to Accommodate

As defined by the *PEI Human Rights Act*, employers, service providers and others have a duty to make reasonable efforts to assist people who could otherwise be denied opportunities because of disability, religion or other grounds of discrimination. The employer and service provider have an obligation to adjust rules or practices for enabling members to participate fully. It might include alternative arrangements be made to ensure the full participation. If the employer can prove that such accommodation is too costly or creates health or safety risks for others in the workplace, then it is called undue hardship and the employer is not obligated to provide the accommodation.

Employment Equity, Diversity and Inclusion

Ensuring equitable representation of groups such as women, Indigenous peoples, racialized people and people with disabilities in the workplace, through hiring, promotion, wages and other aspects of employment. Employment equity activities seek to eliminate barriers that create discriminatory practices and deny access to jobs to members of a designated group, and to address past discriminatory practices.

Employment Standards

Legislation and standards established by the provincial government that sets out minimum standards an employer must provide to an employee. Employment standards apply to all workers (with few exceptions) whether they belong to a union or not. Employers can exceed the standards but cannot offer their employees less than what is guaranteed by the PEI Employment Standards Act. These standards usually set minimum wage, maximum hours of work, vacation and statutory holiday provisions and other working conditions. For unionized workplaces, only selected articles of the Employment Standards Act apply. This is because unionized workers enjoy superior working conditions than do non-unionized employees, far above the minimum standards.

Grievance

Written complaint against the employer by one or more employees or a union concerning an alleged breach of the Collective Agreement or an alleged injustice. The collective agreement usually defines the procedure for handling grievances. A grievance is filed on your behalf by the union after consulting with the member and the Steward.

Grievance Procedure

Your collective agreement outlines a step-by-step process which sets timelines and procedures for resolving grievances. It is very important to bring your issue to a Steward or the union's attention as soon as possible because your right to file a grievance expires after the defined time limit set out in your collective agreement.

The union will file a grievance on your behalf and help you understand more about the process. If you believe you have been wrongfully treated at work because of a breach of the collective agreement or federal or provincial labour legislation, contact your Steward immediately.

Griever

A union member who has experienced an alleged unjust decision or action by the employer, based on the collective agreement and federal and provincial laws, can approach the union to discuss filing a grievance and is referred to as the griever.

Harassment

Harassment is any inappropriate conduct, comment, display, action or gesture or any bullying that the person responsible for the conduct, comment, display, action or gesture or the bullying knows, or ought reasonably to know, could have a harmful effect on a worker's psychological or physical health or safety and includes conduct that is based on personal characteristics; inappropriate sexual conduct that is known, or ought reasonably to be known to be unwelcome.

Harassment can be both repeated inappropriate conduct, comments, displays, actions or gestures or incidents of bullying that have a harmful effect on the worker's psychological or physical health or safety; or a single occurrence. PEI *Occupational Health and Safety Act Workplace Harassment Regulations* requires every employer to have a written harassment policy and a procedure to investigate complaints. The Union also has established language in your collective agreement how complaints of harassment will be addressed.

Indigenous Peoples

A collective name for the original peoples of North America and their descendants. In Canada, this refers to First Nations, Métis and Inuit peoples.

Insubordination

Insubordination in the workplace refers to the willful refusal by an employee to carry out an instruction given by their supervisor or manager. If proven, insubordination creates the grounds for discipline or discharge of an employee. To be classified as insubordination, certain factors must be involved, including: an order was given by a supervisor, it was clearly communicated to the employee, the person giving the order was someone in a position of authority and the employee refused to obey without having an acceptable legal reason.

Just Cause

The basic principle underlying most disciplinary procedures is that management must have just cause, or an objectively valid reason, for imposing discipline or terminating an employee. The burden of proof is on the employer; the employer must be able to prove they have just cause for disciplining or firing an employee for it to be upheld.

Labour Relations Board

A quasi-judicial board established under provincial legislation to administer labour law, including certification of trade unions as bargaining agents, investigation of unfair labour practices, acting as mediator during conciliation, and other functions prescribed under the legislation.

Language

The words used in a collective agreement to define the rights and obligations to which the union and the employer have agreed. Sometimes the union and the employer do not agree on the meaning of the words. The grievance procedure can be used to resolve such disputes, including seeking adjudication/arbitration to decide what the language means.

Lay-Off

A worker's temporary, prolonged or final separation from employment due to financial reasons or a shortage of work.

Lockout

A labour dispute in which the employer refuses to allow employees to work or closes its establishment in order to force a settlement on the employer's terms. This sometimes happens when an employer tries to punish workers for refusing to accept a bad offer in collective bargaining.

NUPGE

National Union of Public and General Employees is a national union representing approximately 400,000 members. UPSE is affiliated with NUPGE.

Occupational Illness

Illnesses caused by health hazards in the workplace. These conditions result from exposure to a chemical or biological substance, a physical agent (an energy source such as noise) or other stressors (such as harassment and work demands) capable of causing harm. The time that it takes an illness to develop after exposure to a health hazard is called the “latency period.”

Pay Equity

The principle that there should be equal levels of pay/remuneration for all workers who perform work of equal value. Pay equity requires that female-dominated groups be paid at the same level as male-dominated groups for work that is judged to be of equal value. A methodology is used to identify wage gaps, and the salary for women doing that work in question is raised to that of the men.

Probationary Period

The probationary period for any employee is a span of time during which a new or existing employee receives extra supervision and coaching, either to learn new work or to improve their performance. The probation period is specified in the collective agreement. Usually, all employees upon initial hire or promotion, serve a probation period. The probation may be extended if the employee is not able to meet the expectations for the position by the end of the initial probationary period. Upon the successful completion of the initial probationary period, an employee will be afforded the appropriate seniority and employment security rights of a permanent employee. The employer can terminate workers without just cause during the probationary period.

Progressive Discipline

Progressive discipline refers to the process used to discipline an employee and includes several steps the employer must follow, as described in your collective agreement. The process is intended to correct the behaviour by applying progressively more severe disciplinary action if the behaviour does not change. In general, the process starts with a verbal warning, a disciplinary letter could follow, then a suspension from work and possibly ending in dismissal. However, in the instance of serious misconduct, the employer may bypass earlier steps and immediately apply a harsher form of discipline. If the employer does not follow the steps involved in the progressive discipline process, or cannot justify why certain steps were bypassed, you should speak to your union Steward about filing a grievance. During all steps of the discipline process, you have the right to have a Steward present during any meeting or investigation that may lead to discipline.

Prohibited Grounds

The *PEI Human Rights Act* prohibits employers from discriminating against employees on the basis of a number of factors that are referred to as prohibited grounds which include discrimination in relation to age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation, or source of income of any individual or class of individuals;

Ratification Vote

The process of voting for or against accepting a tentative collective agreement or contract. Each member of the affected bargaining unit is eligible to vote. The employer representatives also vote on whether their side agrees to accept the new agreement. The new contract can only be signed and become effective following the ratification of both parties. If either side turns down the agreement, the bargaining teams go back to the bargaining table to engage in further negotiations.

Seniority

A term that describes an employee's status compared to other employees, mainly used to determine the order in which they will be considered for promotion, transfer, lay-off, vacation entitlement, etc. Most collective bargaining agreements calculate seniority by total length of service with the employer.

Sexual Harassment

Sexual harassment is a form of harassment that humiliates, intimidates or otherwise harms the victim. It includes verbal, physical or visual acts, either one time or repeated. Other forms of sexual harassment could involve sexual remarks, jokes with sexual overtones, sexual advances, display of offensive pictures or photographs, threats, leering, physical contact like touching, patting, sexual or physical assault, etc. For any type of harassment, impact upon the victim must be considered rather than the intent of the harasser.

Solidarity

The fundamental principle of trade-unionism is best exemplified by the slogan "an injury to one is an injury to all." In practice this means that all members of the union-movement agree to help one another in their struggles for fair wages, safe workplaces, better benefits and human rights. Solidarity extends beyond the union-movement to other groups struggling for human rights and social justice.

Steward (also called Union Steward or Shop Steward)

A union Steward is a bargaining unit member elected by a group of fellow members or appointed by union officials to perform union representation duties at the workplace. If any member has concerns about their rights at work or feels the collective agreement has not been followed, they should first contact their Steward. The Steward is also responsible for educating members on union policies and activities and getting members involved in the union.

Strike

A stoppage of work or refusal to work (or continue to work) by employees, meant to show union solidarity and put pressure on the employer to take their concerns seriously during a labour dispute. A strike is usually the last stage of collective bargaining when all other means have failed.

Strike-Breaker / Replacement Worker

A person who continues to work or who accepts employment to replace workers who are on strike.

Strike Mandate

Achieved through a vote of all members of the bargaining unit, a strike mandate is an important tool for successful bargaining and means the members have given their elected bargaining team the authority to call a strike or initiate other job action if necessary. An affirmative strike mandate sends a clear message to the employer that the union's members stand behind their bargaining team and the proposals put forward by the union. A strike mandate does not necessarily mean that there will be a strike, however, it gives the bargaining team the authority to do so when and if they deem it is necessary. For UPSE members, there are several bargaining units who do not have the right to strike based on the *Labour Act*. The resolve for bargaining units who do not have the right to strike is binding arbitration.

Term

The negotiated length of the collective agreement, during which time it will remain enforced. The term is defined in the respective collective agreement and is negotiated between the parties.

Unfair Labour Practice

Actions or activities of an employer or a union that are prohibited by the *PEI Labour Act*. For example, the union might complain that the employer is discriminating against a union activist or the employer might complain that the union is staging a strike without proper authority. Labour laws provide processes for filing unfair labour practice complaints with the provincial labour relations board.

Union Busting

Efforts by the employer (or lawyers and professional consultants hired by the employer) to make workers lose faith in, quit or refuse to join unions.

Without Prejudice

A statement (e.g. "We withdraw the grievance, without prejudice.") used to clarify that current action will not affect future rights and actions, even when the facts are the same.

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PEI UPSE is proud to represent over 5000 members in the public and private sectors.