

# Guide to CUPW



**Private Sector Bargaining Units**

## Acknowledgements

Some of our locals have been producing members' handbooks for years. This booklet draws from this work. CUPW would like to thank locals for their ideas and efforts.

Illustrations by Tony Biddle

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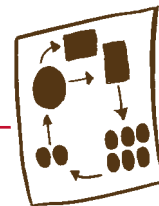
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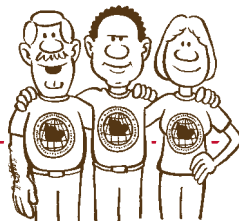
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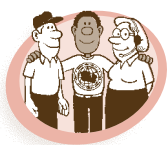


**9.1**



# Who We Are

CUPW is a democratic union. CUPW members have a say every step of the way. They elect their own representatives. They help develop priorities for contract negotiations. Members also have a right to vote on the final package of demands that is developed during negotiations and any contract that is negotiated.



## Members

Our 54,000 members work in large and small communities from Twillingate, Newfoundland to Tappen, British Columbia. A majority of members work for Canada Post as rural and suburban mail carriers, letter carriers, mail service couriers, postal clerks, mail handlers, mail dispatchers, technicians, mechanics, electricians and electronic technicians. But CUPW represents more than post office workers. We also represent cleaners, couriers, drivers, warehouse workers, mail house workers, emergency medical dispatchers and other workers in more than 15 private sector bargaining units (PSBUs).



## Structure

The CUPW's national office is in Ottawa. The union has regional offices in Halifax, Quebec City, Montreal, Ottawa, Toronto, London, Winnipeg and Vancouver. There are CUPW locals with elected representatives in over 200 communities across the country.

Ultimate decision-making power in the union resides with the membership. At the local level, members make decisions about bylaws, local activities, delegates to national convention, etc. At the regional level, local delegates develop proposals for union policies, objectives and procedures. Every three years, representatives from locals meet at a national convention to decide on a plan of action for the coming years. They also elect national and regional representatives (See *Appendix 1* for a list of National Executive Board members). CUPW's national constitution and policies are the result of decisions from conventions.



For more information on the union's structure, see the organizational chart at the end of this document (See *Appendix 2*).



## Constitution and Policies

CUPW's constitution determines the union's objectives and procedures. Delegates to national convention have voted for the provisions in the constitution. CUPW's policies are listed in the coloured pages within CUPW's constitution. Policies are statements of principle that have been adopted by delegates to national convention.



## CUPW's History

Our history is an important part of who we are. A few highlights follow:

**1965:** Postal workers haven't seen much of wage increase for years. They strike even though public sector workers do not have the legal right to strike. The strike produces a significant increase in salary. It also leads to a Royal Commission into working conditions and an interesting union convention in 1965.

Delegates to the 1965 National Convention replace leaders who failed to back the strike. They adopt rules providing membership control over strike votes. This is part of a move to increase democracy within the union. Delegates also change the name of their organization from the Canadian Postal Employees Association (CPEA) to the Canadian Union of Postal Workers (CUPW).

**1965:** Part-time postal workers are paid less than full-timers. They have little in the way of benefits and no control over their work. Full-time workers see part-time workers as a threat to their wages and job security because management uses them as a cheap, easily manipulated workforce. Part-timers are expelled from CUPW at the 1965 convention because many crossed picket lines during the 1965 strike.

**1967:** The federal government passes the Public Service Staff Relations Act. This act allows federal sector workers, including postal workers, to choose either compulsory arbitration or conciliation with the right to strike.

**1968:** The CUPW is certified to represent part-time postal workers. The union begins the process of fighting for equality for part-timers. This makes it harder for management to pit part-timers against full-timers.

Today, part-timers are equal with full-time workers (on a pro-rated basis) in most areas of the collective agreement.



**1972:** The post office introduces a new classification for people who are coding the mail (i.e. typing the postal code). A letter sorting machine (now called optical character reader) reads the codes and electronically sorts the mail. The post office argues that this work does not require the memorization and skill involved in manual sortation.

**1974:** CUPW forces management to get rid of the lower paid coder classification by striking and negotiating a new job classification (postal coder-sorter-sweeper ) which combines coding and postal clerk functions into one.

**1981:** Parliament unanimously adopts the *Canada Post Corporation Act*, legislation guaranteeing the provision of basic public postal services to all Canadians, no matter where they live. *The Act* is the product of over two years of consultations between three successive federal governments, business groups and postal unions under the umbrella of the Canadian Labour Congress.

Unfortunately, unions do not succeed in convincing the federal government to do right by rural and suburban mail couriers. The government includes a provision in the *CPC Act* which prevents rural and suburban mail couriers from being considered employees with collective bargaining rights and other rights under the *Canada Labour Code*. Rural and suburban mail couriers are considered to be contractors. They have no rights, no benefits and inhumane working conditions.

**1981:** CUPW argues that maternity leave is needed to eliminate the injustice suffered by female workers who are forced to take a substantial loss in pay due to pregnancy. It takes the position that women shouldn't have to pay a penalty because they are the ones in society who bear children. The union wins paid maternity leave after a 42-day strike, making CUPW the first national union to win this right for its members.

**1983:** Delegates to CUPW's national convention decide that the best way to protect members' wages and working conditions is to improve other workers' wages and working conditions by organizing.

**1986:** Canada Post announces plans to close or privatize thousands of post offices. The Canadian Labour Congress and post office unions organize a major campaign to stop post office cutbacks and privatization. This campaign results in a moratorium on post office closures in 1994.

**1989:** CUPW wins a certification vote to represent both inside and outside postal workers. Outside workers were formerly represented by the Letter Carriers Union of Canada.



## Who We Are



**1992:** CUPW negotiates an education fund with Canada Post. It uses this fund to educate members on a wide variety of work, union and social justice issues.

**1995:** CUPW negotiates with Canada Post to take control of a \$2 million dollar child care fund. It uses the fund to help members who have the most trouble finding or affording good child care, such as night workers and parents of children with special needs.

**1995:** CUPW negotiates a provision that requires Canada Post to permit temporary workers to fill vacant regular positions based on seniority. Prior to this, Canada Post's representatives often used arbitrary and discriminatory hiring procedures, especially with respect to the filling of internal positions.

**1997:** The Organization of Rural Route Mail Couriers (ORRMC) is formed. The ORRMC wants basic bargaining rights, not just better contracts that can be changed at the whim of the government or Canada Post. CUPW agrees to help the ORRMC.

**2002- 2003:** CUPW signs up Rural and Suburban Mail Carriers (RSMCs) as members and negotiates the contracting in of carriers. As unionized workers, RSMCs have basic rights and a contract that provides clear rules and improved wages.

**The struggle continues**



# What We Do



## Bargaining

CUPW has had bargaining rights since 1967. The wages, benefits and job security that members enjoy are the product of bargaining. But the union's success at negotiations comes from having an active and militant membership.

All CUPW contracts guarantee specific wages or wage entitlements, benefits and working conditions. They provide a clear set of rules that applies to everyone. These rules prevent managers from being arbitrary or discriminatory when they assign work, schedule vacations, grant leave for the death of a relative and so on.



## Grievances

CUPW's collective agreement with your employer gives the union the right to submit complaints or grievances on behalf of its members when employer representatives violate contract rules.

For more information, see your collective agreement. To file a grievance for a violation of the contract, contact your shop steward or a local executive member.



## Campaigns

CUPW campaigns on a variety of issues, such as childcare, sweatshops and trade agreements.



## Organizing

CUPW has organized workers in more than 15 private sector bargaining units. We now represent cleaners, couriers, drivers, vehicle mechanics, warehouse workers, mail house workers, emergency medical dispatchers and bicycle couriers, in addition to postal workers.





### Communications

The union keeps members informed about the union's activities through the newspaper *CUPW Perspective*, weekly bulletins, the bi-weekly bulletin *Post This*, and the website ([www.cupw-sttp.org](http://www.cupw-sttp.org)).

CUPW produces a number of newsletters including *The Rose* for women, the *Stewards' Action Bulletin* for stewards, and *Our Health, Our Safety* for health and safety activists.



### Education

Union education is a CUPW priority. It's how we build the union.

CUPW offers several types of education courses to members. It offers short courses at regional education seminars, held on weekends in the spring and fall. It also offers five-day courses on topics such as health and safety, human rights, women's issues and globalization.

The Union Education Program (UEP), generally regarded as the flagship of CUPW's education program, is run twice a year. In four one-week sessions spread over several months, 40 participants selected from across the country examine work, union and social justice issues from a working class perspective.

Funding for CUPW's education program comes from the Union Education Fund in the urban operations collective agreement with Canada Post. Additional funding is provided under some private sector agreements and the Rural and Suburban Mail Courier contract. If your bargaining unit does not have an education fund, you can apply to go to the UEP through the union's general fund.

All requests to attend the UEP must be made through your local. For more information on the UEP or other courses, contact your local president or local education committee (Section 9.20 of the *National Constitution*).



### Health and Safety

CUPW has a National Health and Safety Committee, which meets at least twice a year. This committee is made up of one member from each region (elected at convention) plus other national and regional union representatives. It is responsible for developing positions on health and safety issues (4.12 of the *National Constitution*).

Federal, provincial and territorial law states that workers have the right to participate in decisions affecting the workplace through joint union-management health



and safety committees or health and safety representatives.

Your collective agreement may give you additional rights relating to committees and other health and safety matters. For more information, contact your local president or local health and safety committee or representative.



## Human Rights

CUPW has local and national human rights committees. (Section 4.07 and 9.22 of the *National Constitution*). The national committee is made up of four working groups: one for aboriginal peoples; one for gay, lesbian, and transgender people; one for people of colour; and one for people with disabilities. The National Human Rights Committee consists of rank and file members and members working full time for the union who belong to any of the above groups. It meets twice a year.

The committee is responsible for investigating a variety of matters, including the level of participation of each group within the union, and making recommendations. The human rights committee submits its recommendations to the union's National Executive Board. It also reports at national convention every three years.

The union also financially assists members of the above groups to encourage their participation in conferences and other forums related to human rights (Section 7.60 of the *National Constitution*).

For more information or if you would like to get involved with your local committee, contact your local president or local human rights committee.



## Women

CUPW has local and national women's committees. (Section 4.06 and 9.21 of the *National Constitution*). The national committee is made up of one woman from each region (elected by women delegates at the union's national convention) and all women holding national and regional positions within the union. It meets at least twice a year.

The committee is responsible for investigating a variety of matters, including the level of participation of women within the union, and making recommendations. The committee submits its recommendations and the responses of the union's National Executive Board to the national convention every three years.

The union also provides financial assistance to encourage women's participation in conferences and other forums related to women's issues (Section 7.59 of the *National Constitution*).



## What We Do

For more information or if you would like to get involved with your local committee, contact your local president or women's committee.



### Retired Workers

The union is currently developing a structure for retirees who wish to remain active in the union.

Some CUPW locals have committees that study, educate and recommend on issues relating to pension and retiree benefits.



# Your Local



## Local

The union has components across the country called locals. A local is made up of CUPW members in a defined area. It may include all members in a large city, one town or several small towns. Each local belongs to one of eight regions in CUPW.

## Local executive

Each local has a president and a number of other executive officers. The number of officers varies depending on the size of the local. The executive distributes union information, recruits stewards and reports at union and labour movement meetings. It also organizes local meetings, negotiation activities, campaign actions and strikes when necessary.

## Local meetings

Most locals have monthly membership meetings. Watch the union bulletin board at work to find out when your local meets.

## Local bylaws

Locals have bylaws outlining the rules they use to operate.

## Local committees

Your local may have a number of committees that deal with legislative matters, organizing, grievances, education, women's issues, human rights, pension and retiree benefits and trustee issues (Section 9.17 to 9.24 of the *National Constitution*).



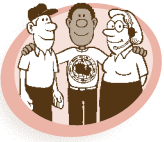
## Stewards

Stewards are the union's representatives in the workplace. They help the local executive distribute information, organize activities and ensure that members' rights are respected. If your employer has violated your rights under the contract, talk to your



steward about filing a grievance (or local executive if there is no steward).

All members, including temporary workers, are eligible to be stewards. Talk to your local president if you think you would like to be a steward or take a steward's course.



## Members

Members are people like you. As a dues paying member, you have a right to wages or wage entitlements, benefits and working conditions, as spelled out in the contract, and to fully participate in the union (e.g. attend local meetings, take education courses, run for election as a local officer or delegate to national convention, etc.). With these rights come responsibilities. Please read union information, attend union meetings and participate in debates so that you can make informed decisions about local issues, negotiations, strikes, campaigns and other matters that affect you and your co-workers.



# Your Rights

Your rights are outlined in your collective agreement and in federal or provincial law.



## Know Your Rights Under the Collective Agreement

Please take the time to review the rights outlined in your collective agreement. Let your union steward know if your employer is violating any of your rights. If you do not know who your steward is, contact the president of the CUPW local in your area. If you have any questions or concerns, union representatives can advise you of your rights and answer your questions.



## Grievances

You have a right to have grievances or complaints submitted on your behalf when your employer violates your rights under the contract.



## Obey Now, Grieve Later

In general, you should follow the *obey now, grieve later* rule. That is, you should obey an order from your employer, even if it violates the collective agreement, and then file a grievance that explains the violation. Of course, there are exceptions to the *obey now, grieve later* rule. For example, you have a right to refuse to do any work that is a serious threat to your health and safety.



## Health and Safety

If you have health and safety concerns, be sure to discuss them with your steward. You have a right to refuse unsafe work under law. You may have additional rights under your collective agreement.



## Accidents and Injuries

Report all accidents and injuries, no matter how small, to your employer. Let your steward know about any accidents or injuries as soon as possible. Ask them for help with forms, such as workers' compensation claims.



## May and Shall

Your employer is required to take particular measures when your collective agreement uses the word “shall”. The word “may” indicates that the employer has a choice about taking a measure. The conditions for making a choice are sometimes spelled out in the collective agreement.

**If you have questions about hours of work, pay, or other issues, please contact your steward.**



## Which Law Covers You?

Most workers are covered by the employment laws of their province or territory. Only 10 per cent of workers are covered by federal employment laws. However, many CUPW members are part of this 10 per cent.

Federal laws apply to you if you work directly for the federal government or are among those who work in:

- Most federal Crown corporations and federal Special Operating Agencies and private businesses necessary for the operation of a federal Act
- Interprovincial trucking
- Interprovincial shipping, ports, canals, tunnels and bridges
- Air transportation, including airlines, airports and aerodromes
- Railways
- Telephone, telegraph and cable systems
- Radio and television broadcasting (including cablevision)
- Banks
- Grain elevators and feed and seed mills
- Uranium mining and processing
- Business dealing with protection of fisheries as a natural resource
- Many First Nations activities

If you do not work in the any of above areas, you likely fall under provincial law.



## Know Your Rights Under Law

The Canadian Labour Congress, an organization representing trade unions and provincial federations of labour, sponsors a web site called WorkRights. This site provides information outlining workers' rights under provincial and federal labour codes. You can visit their web site at: <http://www.workrights.ca>

The WorkRights web site is designed for workers who do not enjoy the protection of a union and a collective agreement. But the site is still a handy resource for unionized workers who want to know what basic rights they have under law. Knowing your rights is the first step towards better rights and protections.

It is useful to know what rights you have under law, but look to see what rights you have under your collective agreement first.

If you're covered by federal law, you can also get information on labour standards from the following government website:  
<http://www.hrsdc.gc.ca/en/gateways/topics/lxn-gxr.shtml>

If you do not have access to a computer, you can get similar information by calling the Employment Standards or Labour Standards number in the blue pages of your phone book. Make sure that the number you call covers federal law if you fall under federal jurisdiction or provincial law if you fall under provincial jurisdiction.

If there is no specific listing for Employment Standards or Labour Standards in the blue pages, call the general inquiries number for Government of Canada information if you are covered by federal law or the general inquiries number for provincial information if you are covered by provincial law. These numbers are usually at the beginning of the blue pages. Ask the person you reach to give you the phone number for Employment Standards or Labour Standards.

Your employer must abide by the rules set out in your collective agreement and in federal or provincial law. Contact your union steward if your employer is ignoring the rules. Contact your local president if you do not know who your steward is.





# Your Benefits



## CUPW Life Insurance Plan

The CUPW insurance plan pays out benefits if you, your spouse or your children die. All employees who are members in good standing with CUPW are eligible. These members are automatically covered by the basic plan.

- CUPW pays for the basic plan.
- There is a premium for optional coverage.

If you have not received an application for optional coverage, contact your shop steward or local president.

### Note

*Your collective agreement may provide additional benefits.*



# Appendix 1

## National Executive Board

The following people were elected to CUPW's National Executive Board at the 2002 National Convention:

Deborah Bourque, National President, National Office

Lynn Bue, 1st National Vice-President, National Office

Denis Lemelin, 2nd National Vice-President, National Office

George Floresco, 3rd National Vice-President, National Office

Donald Lafleur, 4th National Vice-President, National Office

George Kuehnbaum, National Secretary-Treasurer, National Office

Ken Bird, National Grievance Officer, National Office

Jeff Woods, National Director, Atlantic Region

Pierre Bernier, National Director, Quebec Region

André Frappier, National Director, Metro-Montreal Region

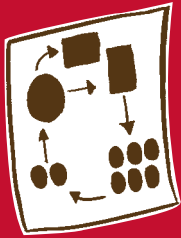
Rick Irving, National Director (Terry Devine is Acting Director in Brother Irving's absence), Central Region

Susan Jeffrey-Kolompar, National Director, Metro-Toronto Region (Sister Jeffrey-Kolompar became director in a mid-term election.)

Gerry Deveau, National Director, Ontario Region

Cindy McCallum, National Director, Prairie Region

Pat Bertrand, National Director, Pacific Region



# Appendix 2

## CUPW'S Structure

### The Membership

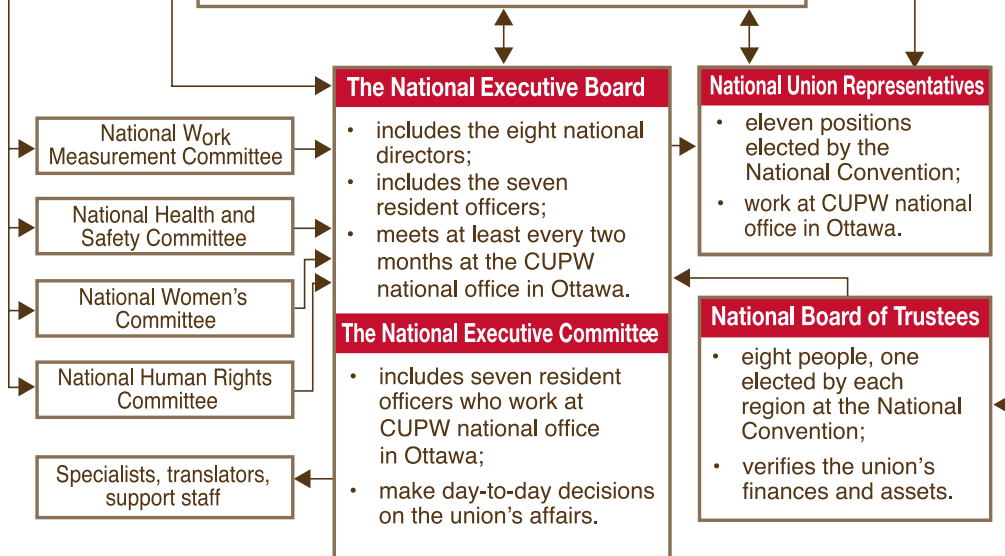
- about 54,000 members, divided into 210 locals;
- the "traditional" membership, employed by Canada Post, includes letter carriers, postal clerks, mail handlers and despatchers, stores persons, vehicle mechanics, electricians and electronic technicians.
- newer members include postal cleaners, mailing house workers, couriers, truck drivers, emergency medical dispatchers, warehouse workers and CPC rural and suburban mail carriers.

### National Convention

- locals elect one delegate for each 100 members in the local;
- all locals elect at least one delegate;
- highest decision-making body of the union;
- elects national officers, trustees and union representatives;
- sets policy and direction for the union.

### The Regions

- locals divided into eight regions;
- convention resolutions are developed and brought forward through Area Councils and Regional Conferences; similar process for proposals to amend the collective agreement;
- all delegates from each region elect their regional officers and union representatives as well as their national director at the National Convention.





# Solidarity Forever

*By Ralph Chaplin*

When the union's inspiration through the workers' blood shall run,  
There can be no power greater anywhere beneath the sun.  
Yet what force on earth is weaker than the feeble strength of one?  
For the union makes us strong.

Chorus  
Solidarity forever!  
Solidarity forever!  
Solidarity forever!  
For the union makes us strong.

They have taken untold millions that they never toiled to earn,  
But without our brain and muscle not a single wheel could turn.  
We can break their haughty power, gain our freedom when we learn  
That the union makes us strong.

(Chorus)

We're the women of the union in the forefront of the fight,  
We know of women's issues, we know of women's rights,  
We're prepared to fight for freedom, we're prepared to stand our ground,  
Women make the union strong.

Solidarity forever!  
Solidarity forever!  
Solidarity forever!  
Women make the union strong.



# Useful Numbers and Contacts

Employee ID number

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Work phone number

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Pay inquiries phone number

---

CUPW local contact

---

CUPW local phone number

---

Steward's name

---

Steward's phone number

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CUPW National web site **[www.cupw-sttp.org](http://www.cupw-sttp.org)**

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Canadian Union of Postal Workers

National Office • 377 Bank Street, Ottawa, ON K2P 1Y3 • [www.cupw-sttp.org](http://www.cupw-sttp.org)

