

WINTER 2022

THE AGORA

The Government Services Union Quartely Newsletter



Meet Bruce Roy GSU National President

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Dear GSU members,

It has been more than two months since I had the privilege of leading the great family that is the Government Services Union. Two months that have gone by at lightning speed and during which I have been able to familiarize myself with the day-to-day business of my new role. I would also like to thank the strong team at the National Office for their welcome and support during this time.

In the coming weeks and months, I plan to meet with each employer to share my priorities for GSU and its members and to emphasize the importance of union-management consultation. Too often, the Union is presented with a fait accompli when it comes to decisions that directly impact the lives of our members and it is time for that to change. More than ever, the Union must be at the heart of decisions in order to ensure that the interests of our members are well looked after.

During my inaugural speech, I mentioned my intention to offer more tools to our elected officials to help them better accompany our members. I am therefore pleased to announce that GSU is launching a series of Lunch & Learn as its first initiative. Once a

month, members of the National Council and Local Executive Councils will be invited to take part in a lunchtime discussion on a relevant theme. These events will be recorded and posted on our new [YouTube](#) channel, making them accessible to all.

In closing, I want to acknowledge the resilience and dedication of GSU members. For the past 18 months, you have been there, sometimes in less than ideal conditions. My friends, I see you and I take my hat off to you.

The pandemic has created an opportunity for a reset, and rather than returning to business as usual, GSU must seize this opportunity to review its ways of doing things, both with employers and members. The next few months will be critical, and I am ready!

In solidarity,



Bruce Roy, GSU National President, PSAC



The Government Services National Council

The Agora is published by the GSU National Office. Address any comments to info@gsu-ssg.com

Visit GSU's website: www.gsu-ssg.com

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GSU 8th Triennial Convention

After being postponed for a year due to the pandemic, GSU held its Triennial Convention from October 5th to October 8th, 2021 with the particularity of having been held completely in virtual mode.

During that week, more than 100 delegates met online to adopt a new budget for 2022-2023, debate and vote on resolutions, and elect National and Regional officers.

The Convention is also the occasion for delegates to hear guest speakers, such as Fae Johnstone who addressed the delegates on the struggles that members of the 2SLGBTQ+ community face on a daily basis.

2022-2023 Budget

The budget for 2022-2023 period was adopted unanimously, with a key highlight being a dues reduction for all members during that period.

Make Way for Diversity

Aware of the importance of ensuring a succession, GSU has committed,

through two resolutions adopted at Convention, to offer a greater place to young workers within its internal committees. Thus, to the extent possible, each GSU internal committee will include a member of this community.

GSU National Council

The majority of the members of the National Council were reappointed for another term. In the NCR, William Tait joined the Board, succeeding Kevin Hanson who was elected as National Vice President. Finally, Bruce Roy became GSU 4th National President.

"I joined the GSU National Council team in October 2021 as RVP National Capital Region. I became involved in the Union after the Phoenix rollout and witnessed not only the very real hardship that this caused our members but also a media campaign by the employer that sought to shift responsibility for the fiasco on to workers that were left to pick up the pieces.

Working as a steward and on the executive of Local 70013, I had the good fortune to be mentored by knowledgeable and passionate Union activists, Bruce Roy, Steve Colterman and Kevin Hanson to name only a few. Being on the GSU National Council for me, is an opportunity to continue to learn and work for our members at the Regional and National level as how and where we work evolves in new and potentially better ways.

Before joining the Public Service, I worked as a university educator and independent researcher on projects such as the Truth and Reconciliation Commission, Canadian foreign aid history and humanitarianism in civil society. The research and critical thinking skills I developed in this work have helped, and will continue help me as we face the challenges that our membership experience daily."

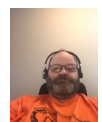
- William Tait, RVP NCR

ORANGE DAY SHIRT

Every year on September 30th people across Canada wear Orange and participate in Orange Shirt Day events to recognize and raise awareness about the history and legacies of the residential school system in Canada.

Beginning this year, the Canadian government designated this date as the National Day for Truth and Reconciliation.

To mark this important day, delegates were invited to wear orange on October 7, 2021.





DID YOU KNOW?

Discrimination based on family status

Your employer has the obligation to accommodate you and remove barriers in the workplace including your family status.

Family status was included as a prohibited ground of discrimination since the inception of the *Canadian Human Rights Act* in 1977.

However, it's only over the last ten years that the case law changed and evolved greatly. In the federal jurisdiction including our members at the Mint, the leading authority on family status discrimination is *Johnstone v. Canada (Border Services Agency)*, 2014 FCA 110 ("*Johnstone*") where a test was enunciated. This test expanded the scope and broke with the more restrictive interpretation of family status.

This new approach expanded the right to be accommodated if a workplace rule infringed on your legal family obligations.

Here are some examples where grievors were successful at arbitration. As usual, case law contains specific facts and sometimes cannot translate literally to your situation.

1. Grievor was working on shifts and requested day work. Daycare was not available for evening and night shift and no close relatives were available. Grievance upheld (*Johnstone v. Canada (Border Services Agency)*, 2014 FCA 110)
2. Grievor terminated for attendance issues. Employer unilaterally cancelled an accommodation for family status and then ask for information. The employer did not convince the arbitrator that a fundamental change had occurred which entitled it to end the accommodation and require the grievor to start the process from scratch. Grievor reinstated.

It's also important to understand the limits of the duty to accommodate for family status.

Here are examples where the grievor was not able to establish a *prima facie* case or the employer demonstrated undue hardship.

1. Grievor alleged that the employer failed to accommodate her eldercare situation after she requested a relocation so that she could care for her mother. While the arbitrator concluded that family status

includes a protection against discrimination on the basis of family circumstances in caring for elderly parents, the grievor failed to demonstrate that caring for her mother was a legal obligation as set by the *Johnstone* test.

2. Grievor was working on shifts and requested day work. Employer proposed two accommodations including day shift different than the one sought by the grievor. Grievor refused but unable to provide evidence childcare was unavailable and arbitrator concluded other motives lead the grievor refuse the accommodation. Concluded lack of collaboration was fatal to her case and dismissed the grievance. *Canadian Pacific Railway Company v Teamsters Canada Rail Conference*, 2017 CanLII 75555 (CA LA)

If you believe you are facing challenges regarding your family status, you should contact your local union. You can find their contact information here: [Find Your Local](#)

If you want more information on discrimination, watch our latest video on our [YouTube channel!](#)

GSU LUNCH & LEARN SERIES

In an ongoing effort to provide GSU elected officials and members with tools to enhance their knowledge of the union and their rights in the workplace, the National Office is launching a series of Lunch & Learns on selected topics. While the live sessions are currently only available to elected officials, all members can view the recordings on our [YouTube](#) channel afterwards.



GSU's BURSARIES AND AWARDS

Every year, the Government Services Union grants three (3) \$1,000 scholarships - the *Bonnie Robichaud Bursary*, the *Jim Williams Memorial Bursary* and the *A.F. Wood Memorial Bursary* - to dependents of GSU Members attending post-secondary educational institution and one (1) \$1,000 scholarship - the *Bob Haywood Memorial Bursary* - to a GSU member in good standing attending part-time or full-time post-secondary education. In addition to academic merit and financial need, the bursaries are also awarded based on the quality of a short essay that applicants must submit.

This year's recipients are:

Bonnie Robichaud
Danika Beaudin, daughter of Shanny Doucet from Local 60018

Jim Williams
Matthew Routliffe, son of Heather Routliffe from Local 70013

A.F. Wood
Brian Martinez, son of Christina Martinez from Local 30001

*Bob Haywood**
Sarah Simpson from Local 90011

Debbie Thomas from Local 70013

** Two awards were given in 2021 since no applications were received in 2020.*

You can read the recipients essays on our website [here](#) !

The GSU Union Recognition Committee is reviewing the bursaries process for 2022.

Stay tuned for more information in the new year!



GSU EVENTS TO COME

National Council Retreat
January 25-26, 2022

National Council Meeting
January 27, 2022

Local Presidents' Conference
September 2022

Young Workers Conference
November 2022