



# The Informed Worker



Summer 2004

London, ON

Vol. 11

---

## Bakery, Confectionery, Tobacco and Grain Millers Local 154G

---

### *What's Your Beef?*

The Company's present motto, belief or direction is "we will do absolutely anything and everything, regardless of the Contract" to keep the Plant running.

### *My Opinion*

By Lee Munn, Newsletter Editor

In respect to a discussion at the last Union Membership Meeting requesting our Executive to post a letter endorsing all voluntary overtime to stop. I fully understand the frustration our Union members are displaying, by putting forward these requests. Their frustration with the Company's direction is shared by most, if not all, of our membership. I would like to give you my opinion from my experience.

For those of you who don't know me, I'm a weekend worker in the Warehouse and a proud member of Local 154-G for 35 years.

I have held several offices including Union President in 1991. That year a cohesive Union Negotiating Committee negotiated a good pay increase, job security language and a 40 hour work week with voluntary overtime.

After years of forced overtime this was a significant event that greatly affected the quality of our lives.

Voluntary overtime was negotiated in good faith and lends itself to other sections of our Collective Agreement such as weekend worker, entry level, student usage, etc.

Any **directive** to withdraw voluntary overtime by a Union official or employee could be viewed by the Labour Relations Board as a "concerted effort on the part of employees to restrict or limit output". This could be seen as an unlawful strike during the life of a Collective Agreement.

Employees can be disciplined for participation in an illegal strike. If involvement by Union Officials encourages employees to participate because of their leadership role, more severe discipline may be upheld.

It should be noted that Union Officials do have a positive obligation to attempt to prevent unlawful strikes or to bring them to an end, if the Union is to avoid liability for damages.

The Labour Relations Board or an arbitrator is empowered, and certainly could, award damages against the Union to compensate the employer for all lost profit resulting from such conduct. (They're losing profit well enough on their own).

Overtime is your choice and your free will. If you need to, or want it, feel free to work. If you don't want to work, don't volunteer.

Having said this I'm sure I have begun to sound like what some more vocal members call "being on the other side of the fence".

I can guarantee you that "IT WILL BE A FROSTY DAY IN HELL"! Like many of you, I feel this Company foolishly cut too deep and too fast with little forethought.

It appears UNION man-hours are of such little significance to them, they forgot who does the real work. We've had major job discontinuances yet the work is still there.

It seems to be a matter of dollars and no cents. London's management has taken us down a path none of us had a hand in creating. It feels like we're being set up to fail. Morale is low, stress is high, production is decreasing, injuries are increasing and we are failing audits, and our very existence seems at risk.

What can we do? I certainly don't have a magic answer but...some suggestions!

1. Support your Union Executive.
2. Attend Union meetings and vote.
3. Grieve/document each violation of the Contract.
4. Be vocal and tell them reasonably how you truly feel.
5. Treat your co-workers kindly (they're in the same boat as you).
6. Be proud to be a Union Member.

Be vocal and document health and safety and food safety concerns. We need management to focus on the long term viability of the London Plant. This requires a commitment to employees and to quality.

The Company needs to listen to and respect our elected Union leaders and work more co-operatively with them.

The London management team needs to revisit the decisions they have made, stop blaming us and get this plant running again.

They say they will do whatever they have to do to keep this plant running (which appears to mean violating our Contract). We need to tell them to learn to do it right. Their mistakes are costing us all big time.

They need to listen to our suggestions and concerns and take them to heart instead of scoffing at us.  
**SPEAK UP!**

I'm not afraid of them... rather I fear for where they seem to be leading us.

## Presidents Message

By John Parachuk

I have recently returned from a Kellogg's Union President's Conference June 6-11 in Memphis.

This get together, once a year, allows all the Local President's and Business Agent's to sit down, face to face, and explore, assist, direct, help and analyze each others problems, in an open forum, honestly and succinctly.

The issues that I brought forward for discussion and possible help are:

1. the video camera in the warehouse;
2. morale in our Plant;
3. instances of poor morale in our plant relayed to us by non-Kellogg's employees;
4. backfilling of discontinued jobs;
5. morale in our plant – causing ill feelings, bickering, anger, confusion, despair, resentment, disdain;
6. unnecessary delays with benefits, both retirees and regular employees, i.e. carrier issues;
7. our Defense Fund;
8. co-chair committee meetings to date and training;
9. pension booklet;
10. low morale and near wildcat situation;
11. bird shoot incident; and
12. scheduling inconsistencies.

We had a lot of good, constructive Union conversation. We received some much needed understanding and direction on a number of issues.

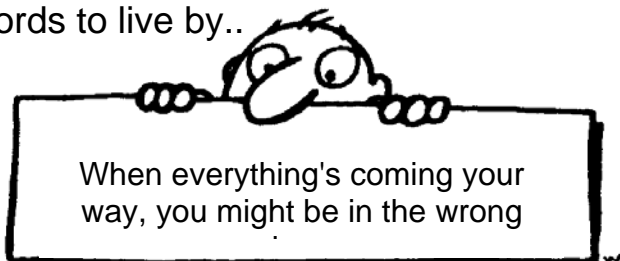
They, on the other hand, are very impressed and envious of many of our Locals' accomplishments and innovations, not to mention voluntary overtime and weekend workers.

Sisters and brothers, the skinny on the whole situation is... every plant is being attacked, every plant is under the same intense scrutiny to be as cost effective as possible and then some.

From what the U.S. Local President's tell me, all their people are pissed off, angry, disillusioned and frustrated with the direction of the Kellogg Company. Angry at huge corporate salaries and big salary bonuses, while we get job cuts rammed up our ying-yang.

Everyone feels it is unfair but what to do about it...  
Any ideas?

Words to live by..



## How Many Bosses?

Internet/CALM

How many bosses does it take to screw in a light bulb?

Three.

One to screw in the light bulb and two to hold the worker down.



## Does This Privacy Issue Bother You?

In January, of this year new federal government privacy legislation was introduced. The legislation has put privacy issues on the front burner for businesses and unions. Our Local Union and Kellogg's have been dealing with privacy issues this year.

### Is the following a privacy issue for you?

When we apply for weekly indemnity benefits from Manulife we have to get a form completed and then send it to Manulife in order to secure benefits.

There are three sections to this document. Typically the employee applying for benefits will return to Kellogg's with the employee and physician portions completed. The Form is given to the Health Centre with the **implied intent** that the employer will complete their portion of the form and courier the documents on to Manulife in order for the claim to be processed. This confidential medical information is **intended for Manulife only**.

So far the process seems logical. Right? Think again! Many members have identified that the Kellogg Health Centre has been taking a copy of these forms. Remember, Kellogg Health Centre personnel work for and are paid by Kellogg's. These forms contain **confidential personal medical** information. The big concern here is workers are not being advised that copies are made nor are they supplied with a reason a copy may be required.

Most laws require that consent be given to release personal medical information.

This raises all sorts of questions and concerns...

- Who has access to this info?
- Why do they need it?
- Why did they not **ask** my permission?
- Is it legal within the privacy legislation?
- How long do they keep it?
- Where do they keep it?
- Can it be used against you in future?

**Does this privacy issue bother you?**

## Chief Stewards Update

By Art Davis

These last few months have been very trying on everybody with the job cuts, the Outside Contractors carrying the radios and answering calls. The Maintenance Department has been stretched past their limit, and we have filed a grievance to stop the practice of the Company using Outside Contractors to cover their short falls.

The Packaging Department bumps have started and is a very long drawn out process. With familiarization and people on holidays it becomes frustrating for everybody, so please be patient, this is not the Unions doing.

The frustration level at our meetings with the Company is just as bad, if not worse. At our monthly Labour Relations meeting on Friday, July 23, 2004 we became so ticked off at their responses that we got up and walked out. We are trying our best to get all of the issues resolved but meeting a lot of resistance from the Company.

Stand Proud and remember Stand United

### A Warm Welcome

*I would like to welcome Rhonda Wardrop and Darryl Collins as new Stewards this year.*

## Mediation Committee

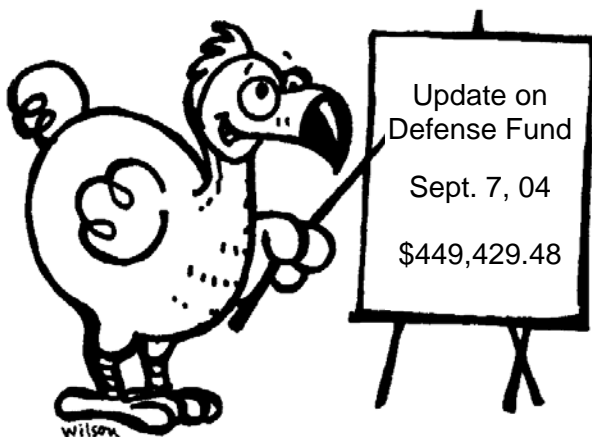
By Vicki Gardner

The Committee would like to welcome Jennifer Bannon in her role as our new Union Representative. She will be joining myself and John Furie in resolving employee conflicts. Jennifer has been an employee at Kellogg's since January 2001.

She will be attending Labour School in Port Elgin at the end of August as part of her training. The course scheduled is "Conflict Resolution".

Please join us in wishing Jennifer success in her new role.

Also, the Committee would like to thank each employee who put their name forward as a mediation rep.



## Road Blocks

By Heather McNaughton, Recording Secretary

Well, here it is almost the end of summer. It has been a while since I bothered to submit any entries for the Newsletter. I always just stuck my head in the sand and let the deadline come and go without assisting in any of the input, but with everything that is going on I feel the need to vent and in a proper fashion; via the Union newsletter.

So much time has gone past with so many changes. So many members are so unhappy. Look around you, when was the last time you really looked forward to coming to work. I remember there was a day when I would enjoy coming into work and not only for the money. Yes I admit that is a major draw but the camaraderie and over all positive feelings were abundant. Kellogg's really seemed to value your input and not just shrug you off. You felt like one of the family; but I digress.

Being on the Executive Committee for the last 15 months has opened my eyes to so much. I was never one to complain; well not too much anyway, but this experience has opened my eyes to the inner workings and pressures of the Union leadership. I do not ever remember having so many issues thrown to us all at once. It truly is mind-boggling. There seems to be a roadblock at every avenue we take to solve the many problems presented to us. Talk about frustration... you really have no idea. Your Executive wants to get jobs back, solidify job security and make this a pleasant work environment, but despite all our efforts we seem to be against the wall at every turn. Since the Fall of 2003 when the Company met with us to inform us of their future goal to cut 10 million dollars from the plant costs in 2004 we seem to have been on a downward spiral.

Let's not chastise those who are working hard for your betterment but applaud them for being willing to step up to the plate and fight for all our rights. I believe everyone should get involved to truly create a solid wall on the Union front. So much pressure is put on too few to make a change when the answer is, and always has been, in numbers; solidarity numbers as well as output numbers.

There truly is strength in numbers and until everyone starts treating each other with the respect we all deserve, this place is not going to get much better. With all the negativity around us let's not forget all that we have accomplished in the last while and take pride in our work, even if it does seem to go unnoticed.

In closing, I encourage everyone to challenge themselves to get involved in whichever way they can to aid the much-needed positive change. This Falls elections should give you that opportunity you need to make that difference. Never underestimate your input; any effort is better than no effort at all. It seems so easy to criticize those who do not get us what we want but never forget the pain and effort that goes into that person's fight.

Be strong, be proud and mostly be Union.



## Blame the Worker

By Rick Stevens, Worker Certified H & S Rep.

Over the last decade, workplaces throughout the world have experienced massive restructuring that has included downsizing, increased hours of work (e.g., 12 hour shifts, mandatory overtime), intensification of work (increased work load and/or job duties), increased pace of work ("push for production") and a host of changes in technologies, work processes and management techniques. These changes, aimed at making workplaces more competitive and productive, have been associated with significant adverse health and safety impacts - repetitive strain injuries, stress, workplace violence, fatalities and other work-related injuries and illnesses.

Instead of examining how core work processes are affecting health and safety, many employers are directing attention to workers themselves as the problem rather than work restructuring and hazardous job conditions.

Enter "behavior-based safety" - safety programs that, depending on the particular behavioral safety program, claim that 80 to 96 percent of job injuries and illnesses are caused by workers' own unsafe acts. Behavior-based safety programs focus attention on worker carelessness and conscious or unconscious unsafe behaviors, and place the onus for a safe workplace on workers themselves.

It is too easy for the company to blame the worker rather than investigate incidences for the determination of root causes and future prevention of injuries or accidents. Any incident that causes illness, injury or damage of any kind that happens within a workplace is the breakdown of the "management process." The company is responsible for creating, implementing, and enforcing their workplace policies and procedures ensuring a safe work environment, not the worker. The worker has legislative requirements under the *Occupational Health & Safety Act* to perform work in a safe manner, but the responsibility falls squarely on management's shoulders to make sure this happens.

Always work in a safe manner, protect yourself and your co-workers and report any hazards to your Group Leader. Management has the responsibility and power to make necessary changes, the worker does not. The blame or credit then falls to the company...

## Important Notice: Attention Members

If you have received medical attention beyond First Aid, from the Company Doctor, Nurse, or Physiotherapist, for a suspected work related injury please contact the Union Office or a Union Compensation Representative. Examples of this would be onsite physio appointments, referrals to specialists, prescriptions. **We want to ensure the appropriate documentation has been filed on your behalf.**

Health Care Practitioners are supposed to file a Form 8 with WSIB.

Employers are supposed to file a Form 7 with WSIB for a medical aid, lost time injury, or an injury requiring 7 days of modified work duties.

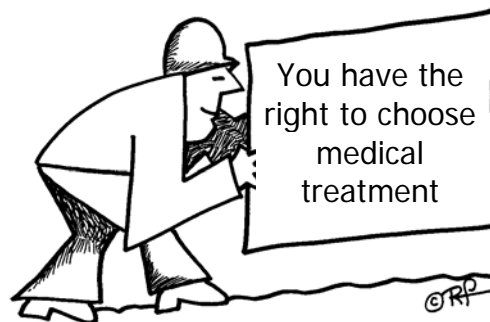
Employers are also supposed to document this internally with the Health and Safety Committee. This would allow our Health and Safety Committee Reps. to address any health and safety concerns arising from the workplace injury/illness suffered by our member.

## Reporting Health And Safety Concerns

It is important that all members immediately report workplace health and safety concerns to the employer and your Union Safety Representative. Examples of such concerns are injuries, near misses, inadequate training and procedures, faulty equipment, or unsafe working conditions.

Proper reporting and documentation provides your Health and Safety Representatives with reference points that allow them to identify and reduce workplace concerns in a timely manner. Lack of reporting may result in a concern being overlooked or a delay in appropriate actions being taken.

### SUPPORT YOUR HEALTH AND SAFETY REPS!



### Acknowledgement

In the last newsletter there was a poem submitted by Len Firmani, "My Turn to Speak" by Shula Klinger. We inadvertently neglected to give credit to "Our Times" magazine as the original publisher. "Our Times" is Canada's Independent Labour Magazine.

<http://www.ourtimes.ca>



## ***In-House Medical Treatment***

**It is important you know the employer may offer to keep you in-house for your medical treatment. Our concern is that your documentation will remain suppressed, in-house.**

When a person goes for outside the plant medical attention for a workplace injury the Health Care Provider sends the appropriate documentation to Comp. (WSIB) not OHIP.

They have to do this to get paid for your appointment. If you use company medical staff, they have already been paid so they may not have a strong desire to send the documentation to the Workplace Safety and Insurance Board. If no documentation is sent, there is no record of activity, there is no comp. claim, and there is no internal recognition of a medical aid due to a work related injury.

For all intents and purposes your issue does not exist beyond the Health Centre. For many members it has been convenient to accept in-house treatment beyond first aid. That is your choice. However, it is important that you understand and insist upon documentation (you shouldn't have to ask, but ask anyway) be forwarded to WSIB. When the employer sends a Form 7 to WSIB the Union Comp. Committee and Health and Safety Co-chair are notified.

**KEEP US INFORMED: DEMAND A PAPER TRAIL**

---

## ***Some Barriers To Reporting Incidences***

- Fear of Company reprisal
- Feel nothing will be done anyway
- Don't know how - lack of training
- Co-worker ridicule
- The macho factor
- Stoic worker – work through the pain and crap

## ***A Case In Point***

A cluster of reporting has identified an area of concern in the Packaging Department. Specifically, with work being performed by Industrial Mechanics. A number of issues have surfaced. Three other Packaging Industrial Mechanics, outside of the cluster, also reported workplace injuries to Health Centre personnel. They received more than first aid. Two received prescriptions for their injury from the Company Doctor, the third was referred to the Company Physiotherapist for treatment. No documentation to WSIB was initiated by the Company Doctor (Form 8) or the Company (Form 7). A fourth Industrial Mechanic has been on modified work more than seven days due to his work related injury but the Company as yet has not filed a Form 7.

In this particular situation, many people have come forward to report concerns to the employer and the Health and Safety Committee. Their issues have been recognized. But, what happens when workers do not complain to the Health and Safety Committee members and their work related injuries never escape beyond the walls of the Health Centre. **BURIED**

**IT'S YOUR LIFE – DON'T LEAVE WORK WITHOUT IT!**



## ***Compensation Committee Update***

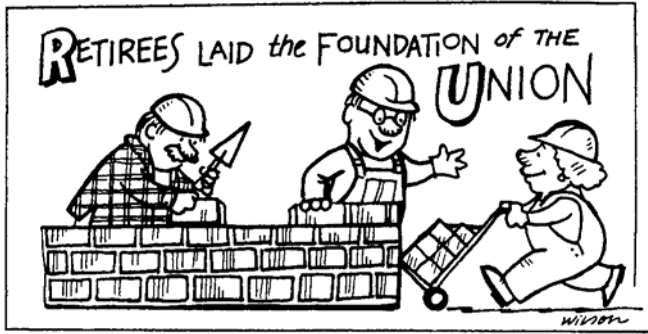
By Phil Hames

We are presently waiting to have four separate hearings scheduled by the Appeals Branch of WSIB.

We are also waiting to have four hearings scheduled at the Workplace Safety and Insurance Tribunal. Three of these hearings were overturned in favour of the worker at the Appeals Hearings. However, our employer is appealing those decisions to the Tribunal.

At the Appeals and Tribunal Hearings our members are represented by a member of our Comp. Committee. Our employer, at the present time, is being represented by a consultant.

If you have a compensation issue contact your reps. Jody Jones or Phil Hames.



## **Kellogg/AFGM Retirement Association**

*Arnie Steinman, President*

Greetings from the retiree group, In one way I believe that most of us miss all the great people that we had the privilege of working with at Kellogg's, but in another we are quite relieved that we are retired considering all the changes that have taken place and of course from what we hear the Company's attitude towards its employees.

It is hard to fathom (at least for some who have been retired for some time) that there has been such dramatic changes from the days of Don Henry, Harold Newton, etc. and when the President (Gerry Robinson) would have a game of pool across the street with some of the employees. I guess they don't teach human relations in Business Administration, or compassion or humility, just is the Company making money regardless of the backs of their working force.

One of the negotiated items for many years is when a retiree dies, Kellogg's provides a \$3000. death benefit to the beneficiary's. As of January 1st of this year it became extremely difficult for the beneficiary to obtain this paltry sum, stating the Privacy Act made it this way. In their infinite wisdom they decided that the Statement of Death issued by the funeral homes wasn't sufficient proof and one would have to obtain a Government Death Certificate, which by the way could take from anywhere of a month to several months and there would be a charge of \$15. One widow of a deceased retiree had to show proof that she was who she said she was by providing a Birth Certificate, their Marriage License and a copy of the Will before finally receiving the much needed financial help.

Your Local stepped in to help resolve this silliness which has been ongoing for the past 6 months and at least has partially alleviated some of this little problem by finally getting the Company to now accept the Funeral Home's Statement of Death.

The next issue is one that of course affects yourselves and even more so the retirees. The OHIP premiums that the Government has implemented that they and the Companies have tried to say is an income tax. We retired with the agreement that what we had the day we retired would be what we always had (an agreement that the Arbitration Courts have upheld). Our contracts on the day that we retired specifically state no cost OHIP coverage.

I know the Local is pursuing this item with extreme diligence for ALL it's present and past members and we have faith that a successful conclusion will be reached.

At a closing of this little dialog let me once again thank the Executive of Local 154-G for their work on our behalf and also to thank the present workers for their support in these matters, it is appreciated far more than words can express!

## **Outside Contracting**

*By Al Gibson*

Recently, there was a letter posted asking for members to become involved in the contracting out issues facing all of us. We have had several members come forward from various departments. These sisters and brothers will be the extra eyes we need to police the contractors that continue to do our work; work that we believe we have the first right to as Kellogg employees, and expand our right to be recognized as the primary resource.

The members are: Sally Hendricks, Paul Srnicek, Dave Vandenboomen, Bill Ross, and Steve Quinton

They will refer any issues found to the Contracting Out Representative or the Executive Committee so that it can be followed up on. That doesn't stop anyone else from passing along information though. We encourage everyone to be watchful over these contracting out issues. The Company may throw equipment costs, security, training, labour availability and other excuses at you, but in the end someone else is doing your work.

For your information, the Company must provide your Union with a notice when an outsider is coming into the plant to do work that could be done by us. If you would like to see the notices they are kept in a black binder in stores. Have a look, you may be surprised to see just how much of your work is going out the door, so to speak.

# What's? YOUR Beef?

### **How You Can Contact Us????**

We welcome and read all submissions. Include your name and telephone number. We will not publish your name unless you request it. Questions and letters, which cannot be verified by telephone, will not be published.

Please e-mail us at [bctgm154@execulink.com](mailto:bctgm154@execulink.com), Fax @ 432-2153, or give your question to your Union Executive or Newsletter Committee (Lee Munn, Phil Hames, Jody Jones).

## Pension Update

By Ron Andersen, Pension Committee

Who is responsible for your retirement benefit? Is it the company or is it you? I have noticed that people have different opinions on these questions. Either way you look at it the bills have to be paid whether working or retired.

The actuarial valuation done Jan. 1, 2003, by Watson and Wyatt shows a pension plan solvency deficiency!

That is, the plan is under funded. If the plan was terminated or wound-up there would not be enough funds to cover the liabilities. There are several issues behind this unfunded position. Lower interest rates, poor investment returns, and the last pension rate increase are some of the reasons. The company has to make special payments over five years to reduce this solvency deficiency. The fund is subject to the rules and regulations of the *Ontario Pension Benefits Act* with an actuarial valuation done each year.

Our pension is a *defined benefit* plan and supplemented by our *defined contribution* plan or commonly known as the S&I.

This is the major part of our retirement benefit except for the *profit sharing plan* that is pre 1980.

The *defined benefit* is a monthly retirement benefit of \$69 times your credited years of service from Jan. 1, 1980. This pension is vested after 2 years of credited service and secures your retirement income. The company manages this plan and is solely responsible for it's assets and liabilities.

The Savings and Investment or the *defined contribution plan* is controlled by the employee. We are able to contribute 9% of our wage with the company contributing 80% match of the first 5% contribution. Lets say you made \$55,000 last year. At 5% your contribution would be \$2750, the company's \$2200 for a total of \$4900.

This money is with Sun Life and you choose to invest it within our fund selection. Approximately 88% of employees are participating in this benefit.


The D.B. and D.C. plans give us a mix of security and control over our retirement but you have to plan now, when time is on your side.

I would like to thank Pete Polischuk for his many years of service as a pension representative. Also for his help in bringing me up to speed as a pension rep.

Jeremy Cormier and myself look forward to serving the union membership with any pension related issues.

### YOUR PENSION

- Brought to you through Union Negotiations
- Past
- Present
- &
- Future

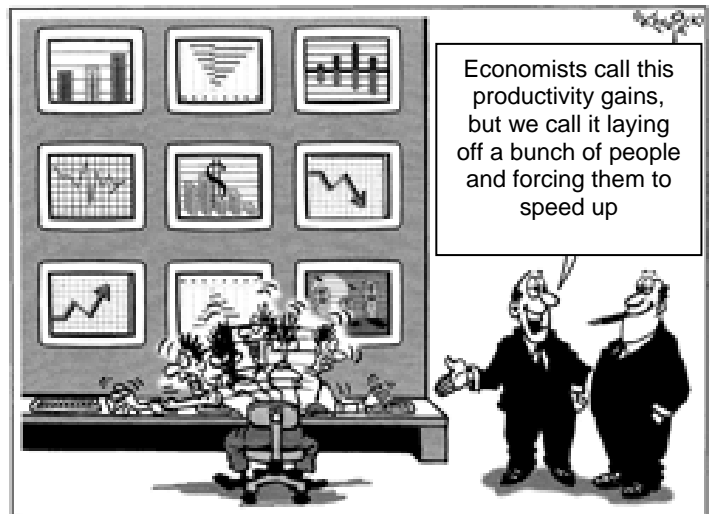


## Non-registered Employee Contributions

By Jeremy Cormier

As of April 4, 2004, employees without RRSP room had their future savings and investment (S&I) contributions automatically switched into a non-registered account. The funds available to invest this non-registered money are the same as always (minus the Kellogg fund), however when everyone's account switched to non-registered, your new contributions automatically went into the money market fund. Your fund allocation can be changed either by calling Sunlife or through the internet if you have a current username and password (these can be acquired through Sunlife).

The rules and guidelines for the non-registered funds are the same as the registered funds outlined in Section 15:11 of the Collective Agreement. Once your contributions are going into the non-registered funds, it is your responsibility to inform Kellogg's when you get new RRSP room and to tell them to start putting these contributions back into the RRSP funds (some people may not have room for several years due to the last pension increase). Non-registered funds have different tax implications than RRSP's do as you buy non-registered funds with money that has already been taxed. The Pension Committee, along with Kellogg's and the Credit Union, are planning an information seminar in the Fall which will address the tax issues and any other questions our membership may have.



# The Bird That Could Not Flit Craftily

Author Unknown

One fine spring day in the month of May  
Processing had a visitor to the big K  
He flew into our lives and brightened our day  
He wanted to leave but lacked the right way

But his pleasant nature just didn't fit in  
And management decided that they would begin  
To make major changes  
And cut its staff thin

So they started with our friend but he was hard to catch  
They tried real hard but they were no match  
But freedom for birdie was not their game  
And feathers and shell casings were all that remained

Now it was our turn and jobs were chopped  
Over 100 before the cutting would stop  
While the rest of us remained to take up the task  
Keeping things going while busting our ass

And so we push on but our spirits are low  
and we think of our co-workers and ask why did they go?  
But it could have been worse and we know this is true  
because our little feathered friend got the 22

