



Canadian Merchant Service Guild

Eastern Branch NEWSLETTER



Big Changes in Lakes Vessels Ownership as Algoma Buys ULS. The big news on the Great Lakes for this winter/spring is the Algoma purchase of ULS for \$85 million. The purchase price includes 11 vessels. The Guild has met with the senior Executives at Algoma and has been told that the fleets will continue to be operated separately. The finalization of the sale is supposed to occur at the end of March and once the sale is confirmed we expect to have further meetings with the Company to learn of their plans for the way ahead. There are a number of Collective Agreements in the balance here, with both ULS Mates and Engineers and Electricians contracts at conciliation – same for Algoma Tankers, and the Algoma bulkers and self-unloaders contracts coming due for renewal later this spring. The members involved have concerns about seniority which should be allayed if the contracts remain separate, and there are many questions posed to us about the Collective Agreements. We are working through all the ramifications of these changes and will keep Guild members informed as events unfold.



Guild Eastern Branch Board and District Meetings. Branch Board meetings were held in Montreal in late February and were well attended by Branch Board members. The Board meetings were the culmination of meetings held starting with the first membership meeting of 2011 in early January. Turnout at the district meetings was good in most districts and members voiced concerns on issues from their contracts to benefit plans to potential issues to be faced in the coming year. Photo: Canadian Merchant Service Guild Eastern Branch Board members.



Guild Disciplinary Committee Rules On Charges

Previous newsletters informed members of a raid by a Teamsters local out of Toronto against the Guild bargaining unit of Engineers and Electricians at Upper Lakes. It has also been

previously reported that there were a couple of members of that bargaining unit that actively organized and campaigned on behalf of the Teamsters in this unsuccessful raid.

The Teamsters lost the vote and their application to represent our members in that bargaining unit was dismissed. There were charges filed against 3 members of the bargaining unit for their actions in this matter that they allegedly contravened the Guild's Constitution and By-Laws. A Disciplinary Committee of Guild members was struck under the By-Laws to hear the charges.

The Committee met on March 11, 2011 in St. Catharines ON, and heard the charges, the evidence and the defense presented. Following consideration of same it was determined that the individuals charged were guilty of violating the Guild's Constitution and their membership was suspended for 9 months, until the end of December 2011.

Two of the members charged appeared at the hearing and had a Teamsters organizer with them, although that individual was not permitted into the hearing – just hung around outside during the process. Another individual who was photographing the proceedings was asked to leave by hotel staff and we are left to surmise about whether or not this was another Teamsters employee.

The Teamsters are pursuing another unfair labour practice against the Guild stemming from the charges and the findings of the Disciplinary Committee. The Guild maintains our rights under our Constitution and By-Laws and will continue to defend those rights vigorously against outside groups.

Staffing Changes in Dartmouth Office

The Guild has held interviews for a second Labour Relations Officer to work with LRO Tom Spindler out of our Dartmouth office. We expect a decision on the new hire will be made soon.



Trial Leave System for Upper Lakes' Engineers

An Arbitrators award in 2008, provided for the implementation of a trial leave system 6 weeks on – 6 weeks off for Engineers and Electricians on two vessels in the Upper Lakes fleet. This trial was implemented last year.

There were some issues that needed to be worked out during the process of the trial but universally the feedback we have received was positive about the system. Before the sale of ULS, there were Collective Agreement discussions that tentatively maintained the equal time on and off leave system as an alternate work system for 2 vessels at Upper Lakes. The Guild will be following up this and other items in negotiations once those talks reconvene with Algoma.

Congratulations to Guild Bursary Recipients Mathieu Warren and Gerald Flynn

In 2010, the Guild awarded a \$1000 bursary to a deserving Guild member working to upgrade certification, not in a cadet program. We are pleased to announce that in 2011, there are 2 successful applicants – the National Office of the Guild decided to match the Eastern Branch award. The bursary recipients are Mr. Mathieu Warren, from Desgagnés and Mr. Gerald Flynn, from McAshphalt Marine.

Stay Connected!



Members can connect with Branch publications on the “Eastern Branch Updates” section of the National Office website at www.CMSG-CMMC.ca

Eastern Branch President, Secretary Treasurer, and Labour Relations Officers

Pictured from left: Captain Alex MacIntyre, President Eastern Branch; Bruce Carter, Secretary Treasurer Eastern Branch; Mario Elrick, LRO Ontario; Bernard Talbot, LRO Quebec; Tom Spindler, Assistant Secretary Treasurer Eastern Branch, and LRO Dartmouth; Kieran Clarke, LRO Ontario; Yann Donnelly, LRO Quebec; and Vivian Arenillas, LRO NL.



Ship Visits throughout the Branch



Point Chebucto says hello from the Strait of Canso, from left: Chief Engineer Doug Birch, LRO Tom Spindler and Captain Jeff Butler.



Greetings from Svitzer Canada's Point Valiant, from left: LRO Tom Spindler, Chief Engineer Charlie Rogers and Captain Jerry Maltby.



Greetings from APA pilot Capt. Ian Swan, in Halifax.



On board Svitzer Bedford, from left: LRO Tom Spindler, Chief Engineer Dave Keizer and Captain Vern Turple.

Negotiations

The following is the status of negotiations being addressed by the Eastern Branch staff and negotiating Committees:

Marine Atlantic – Mates, Engineers and Electricians have been in two sessions of direct bargaining. The last set was with the assistance of a Federal Government conciliator. It is looking like we may be headed to arbitration with Marine Atlantic again to reach a settlement on a contract for this group.

Cancrew – Umiak 1 – The Guild has now held 3 sessions with the Company for the first agreement and more talks were scheduled for the last week in March.

Desgagnés Marine and Petro – All 4 contracts (Mates and Engineers – cargo and Petro divisions) are in still in negotiations.

Great Lakes Towing and Fettes Shipping – Proposals have been exchanged with the Company and further talks are scheduled.

Algoma Tankers Limited - These negotiations are scheduled to proceed, with the assistance of a conciliator.

Upper Lakes Shipping (Mates) – The talks have been at the conciliation stage for some time now. We are awaiting a timeline to continue these talks.

Upper Lakes Shipping (Engineers and Electricians) – These talks have also been ongoing for some time. They were disrupted and delayed by the attempted Teamsters' raid. The Guild is also waiting to hear about a timetable to restart these talks as well.

Northumberland Ferries – Still in direct bargaining.

LPA (Launchmasters) - Still in direct bargaining.

Grievances

Each Guild office has various grievances being worked on by staff. There are many grievance issues at Marine Atlantic. These range from disciplinary actions to contracting out issues; and of course the Guild has grieved the reduction of Engineers and Electricians on the new vessels, Highlanders and Blue Puttees. There are also numerous grievances outstanding at Algoma and Upper Lakes, as well as several with the Province of Newfoundland and Labrador Department of Transportation and Works concerning the captains on the provincially owned ferries.

The Guild tries to have discussions with the Employers to mitigate situations that might result in grievances; or if we are aware of the circumstances early enough, try to have the circumstances corrected or at least understood better. However the grievance process must be used if those discussions can't or don't correct issues and the contractual provisions affecting our members appear to have been violated.



Reminders For Guild Members

Guild members are reminded about medicals and the need to have a current valid one when at work. A Guild member recently received a \$1,250.00 fine (AMP Administrative Monetary Penalty) because his certificate was not valid – and his certificate was not valid because his medical had expired while he was working on board his assigned vessel.

At recent district meetings in Ontario there were discussions on upcoming negotiations. Some members felt it might be prudent to consider whether or not to schedule their first set of vacations – just to be sure negotiations appear to moving in a positive direction before using their leave. We are relaying these comments at their request.

Conclusion

Some members on the Lakes are beginning yet another sailing season and most members of the Eastern Branch of the Guild are saying a happy good bye to another winter at sea. Some Guild members working off the East Coast are saying 'good riddance' to some of the worst weather they've ever seen. We have contracts opening this spring and summer that will set the tone for members on the Lakes for the next few years. New offshore contracts for supply boats employing Guild members have recently been awarded and we hope there are many opportunities arising for the Branch and for Guild members. We look forward to those opportunities and for the challenge of making a difference on behalf of our members.

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