

## News from the Society of Energy Professionals

# Kinectrics Local gets settlement



**Inergi Local VP Elaina De Luca introduces herself to Energy Minister Gerry Phillips at a Liberal heritage dinner (see "Board Highlights," p. 3)**

**L**ast December, while much of the province was winding down for the holidays, the Kinectrics Local was successfully negotiating a renewal agreement.

"It wasn't a cake-walk, but it's an agreement reached in two-party bargaining," said Local unit director **Holly Johnston**. "We were happy to recommend it to the membership."

Reached after six days of bargaining, including a three-day marathon ending on December 20<sup>th</sup>, the new agreement will

last till December 31<sup>st</sup>, 2010. It was ratified by Kinectrics Local members in mid-January.

Following are some highlights of the agreement:

- ◆ Salaries will be raised by 1.5 per cent every six months, beginning January 1st, 2008
- ◆ Performance pay pots of 1.5, 1.0, and 1.0 per cent of payroll in the years covered (April 1<sup>st</sup> to March 31<sup>st</sup>, 2008 to 2010) will be augmented by adjustments of 4.0, 3.25, and 3.0 per cent of EBITDA (earnings before interest, taxes, depreciation, and amortization), expected to generate about another 1.0 per cent of payroll per year for the pay pots
- ◆ Employees hired after April 2, 2002 get a second floating holiday, bringing them closer to the three enjoyed by employees hired before that date, and a step closer to ending this two-tier provision
- ◆ Several two-tier health benefits provisions are eliminated, including the health plan deductible and the formula for major restorative dental work—both are now the same for all employees
- ◆ The contribution to the pension plan increases to 6.5 per cent of income from 5.7 per cent; no contribution holidays unless they are mutual
- ◆ A joint committee will explore solutions to work-life balance issues
- ◆ Employees on out-of-province assignments will be represented by the Society

Given the rapidly advancing shortage of professional labour in the electricity industry, especially its nuclear component, the agreement includes some new retention incentives, including:

- ◆ “Rule-of-82” employees who have not yet retired may receive retention bonuses, pensionable up to three per cent of base salary
- ◆ A new category of employee, the “special-rated regular” employee, is created for employees who have retirement benefits from previous employment, including for Kinectrics—while these employees won’t participate in the pension or health and dental plans, or have, for example, rights under the “employment continuity language, they’ll be represented by the Society, be paid regular salaries, and can negotiate additional compensation

“We’ve held our ground, and used our collective imaginations to meet the challenges of future hiring needs,” said Johnston.

Making up the Society’s bargaining team were Local VP **David Young**, Johnston, Executive Vice President Finance **Bill Jones**, and Society Staff Officer **Blaine Donais**.

## CAR Fund reaches \$15 million; dues to be lowered

On March 5<sup>th</sup>, Executive VP Finance **Bill Jones** reported to the Executive Board that the Collective Agreement Renewal (CAR) Fund had reached \$15 million.

In accordance with the CAR Fund policy, the CAR portion of members’ dues will be suspended as soon as possible, and dues will be reduced to \$16 per week, from \$19.

Jones reported that he was in the process of informing Society employers of the change in dues, and that he expected members to see the change by the end of March at the latest.

## Board highlights: January to March, 2008

The Society’s Executive Board met on Tuesday, January 8<sup>th</sup>; Tuesday, February 5<sup>th</sup>, and March 4<sup>th</sup>, 2008.

**Recognition:** the following were recognized for significant contributions to the Society:

- ◆ The Vertex and Kinectrics Locals’ bargaining teams, for negotiating renewal collective agreements in two-party bargaining. They include: Local VP **David Young**, Unit Director **Holly Johnston**, Executive VP Finance **Bill Jones**, and Society Staff Officer **Blaine Donais** for the Kinectrics Local; and Local VP **Tracy Miller**, local member **Peter Mitskos**, Hydro One Local VP **Keith Rattai**, and Society Staff Officer **Jim Bell** for the Vertex Local.
- ◆ The OPG Local’s bargaining team for “Band N” negotiations (licensed staff, see article below), for successfully negotiating a Letter of Understanding that sets out significant improvements in the working conditions of licensed nuclear control room supervisors and trainers.
- ◆ Staff Officer **Richard Long** and Communications Officer **Brian Robinson** were thanked for preparing display booth backdrops in time for the Society’s appearance at the convention of the Canadian Federation of Engineering Students in Edmonton in January. (See “External Relations,” p.6)
- ◆ IESO Local VP **Alan McMurtrie** and Society Staff Officer **Matthew Kellway** for the Arnett Review Panel last year—several Society recommendations were incorporated into the Review Panel’s report
- ◆ Upon his impending retirement, IESO Local VP **Alan McMurtrie** for his contribution over the years
- ◆ President (pro-tem) **Rod Sheppard**, Inergi Local VP **Elaina De Luca**, Hydro One Local VP **Keith Rattai**, and Society staffers **Richard Long** and **Brian Robinson** for their work at the Liberal Party’s policy conference the weekend of February 2<sup>nd</sup>
- ◆ The seven-person contingent who attended the 2008 seminar of the Canadian Nuclear Association: **Rod Sheppard**; **Bob Wells** (Bruce Power); **Lanny Totton**, **Michael Lohse**, **Victor Chetcuti**, and **Deodatt Somaru** (OPG); **David Vellekoop** (Kinectrics); and **Brian Robinson** (staff)
- ◆ Inergi and New Horizon VPs **Elaina De Luca** and **Joseph Sarick** and their teams for their perfor-



photo: Jemma Muirhead-Warren

**On February 28<sup>th</sup>, Society types visited the Liberal Party's Heritage Dinner, to rub shoulders with MPPs and talk about off-shoring. Premier Dalton McGuinty (centre) was good enough to pose with (l to r) Jim Botari (Hydro One), Joseph Sarick (New Horizon), Michelle Byck Johnston (Hydro One), and Elaina De Luca (Inergi). They told McGuinty he shouldn't let well-paid Society jobs go offshore.**

mances in a tense meeting with senior executives of Capgemini on offshoring issues

- ◆ The group of elected officials and staff, too numerous to name, who took a great deal of time away from regular duties to work on the SPEA vote (see article, p.9)
- ◆ **Elaina De Luca** (Inergi), **Joseph Sarick** (New Horizon), **Jim Botari** and **Michelle Byck Johnston** (Hydro One), and **David Young** (Kinectrics) for showing the Society flag at the Liberal Party Heritage

Dinner on February 28<sup>th</sup>; Botari and Byck Johnston, it was said, were particularly skillful at buttonholing MPPs

**Acting EVP Membership Services:** Unfortunately, **Shirley Hayes** (Bruce Power), who was elected Acting EVP Membership Services at the December, 2007 meeting of the Executive Board, had to step down for personal reasons. An election was held to replace her, and **Dennis Minello** (OPG) took the position. (The position of EVP Membership Services was vacated when Rod Sheppard

was appointed President pro-tem on October 29<sup>th</sup> by Society Council.)

**Election, President:** Vice President Membership Services **Dennis Minello** reported that Chief Returning Officer **Paul Czuczman** (Bruce Power) had issued a call for nominations on January 25<sup>th</sup>, with a deadline of February 22<sup>nd</sup>. At the close of nominations, three candidates had been nominated, and an election is currently underway (see article, below).

**Financial Decisions:** The Board approved funding for the hiring of a staff officer half-time to support the Society's IESO local in bargaining. The Board also approved funding for the purchase of furniture for the Society's new office in Mississauga (now the SPEA office – see article, below).

**Offshoring Task Team:** On October 25<sup>th</sup>, the Society's Executive Board created an offshoring task team (see *Newscast* 2007:04). The Team prepared a terms of reference for their operations, and submitted it to the Board for approval. Team spokesperson **Elaina De Luca** (Inergi) told the Board the Team had several objectives:

- ◆ to ensure that Society members continue to be employed with similar pay and benefits
- ◆ to do external education about the risks of offshoring
- ◆ to educate our membership as to what the threats are and their impact on locals
- ◆ to educate electricity customers as to what the impacts will be to them
- ◆ to move members to action and build bridges in the labour movement

The Team will be mapping out a research strategy, an action plan, and a media campaign to take place over a five-year period, beginning as soon as possible.

In February, Society President (pro-tem) **Rod Sheppard** reported on the activities of the offshoring task team. At the time, he expected that within a few days Capgemini would announce about 20 per cent more of the two locals' (New Horizon, Inergi) work would be offshored. (The announcement came two days later, on February

7<sup>th</sup>.) He reported that Inergi Local VP Elaina De Luca was having some success in setting up meetings with political leaders. The Board approved up to \$100,000 for professional assistance in government- and media-relations activities.

Representatives of the task team have since had several meetings with MPPs and officials of the government.

**OEB Local:** OEB Local representative Edik Zwarenstein reported in March on negotiations to date for a collective agreement.

The OEB Local's bargaining committee went through training and team-building with Society and IFPTE trainers in November, and first met with Management on November 28<sup>th</sup>. He reported that in 15 days of meetings OEB Management has threatened benefits, rejected language that would maintain existing working conditions, and offered clauses that are not comparable to other professionals in the energy sector and the public service. In the workplace, he said, OEB Management has practised oppressive tactics that have affected both morale and productivity, sparking the filing of a number of human rights complaints.

He said the bargaining committee is rapidly becoming quite seasoned, and is determined to achieve their members' wishes. Frequent consultations with OEB employees confirms that they are quite disappointed in the Management attitudes. With an ever increasing workload, and a precarious work-life balance, he said, "they will accept nothing less than a collective agreement which meets the needs of a highly professional and dedicated workforce in the energy industry."

Zwarenstein expressed appreciation to Society member groups and Society and IFPTE staff for their support in preparation, research, strategy, and organizing.

Finally, he provided a perspective of the Society from the OEB Local as a small member group, expressing the conviction that the overall Society strength will increase through mutual respect and equality of all member groups.



photo: Troy Patterson, Kincardine News

**Renovation of one of Kincardine’s most historically significant buildings—Paddy Walker House, in background—will be completed soon, thanks to a \$50,000 donation from the Society’s Bruce Power Local. Bob Wells (third from left) and Ken Martin (third from right) are pictured with Paddy Walker Society members (l to r) Burt De-Graaf, Marilyn Clarke, Brad Kirkconnell, June Daniel, and Graham Mahood. “It’s a culturally significant building and the Bruce Local wants to be a part of this legacy going forward,” said Martin.**

**Policy on Staff (non-)Involvement in Partisan Political Activities, Including Elections:** The Board passed a policy re-confirming the Society’s long-standing practice of excluding Society staff from participating in partisan intra-Society political activities, especially elections.

The policy was prepared by Staff Manager **Dan Kellar**, and endorsed by the Executive Committee. It recognizes that certain staff are required to provide administrative and logistical support to the Chief Returning Officer in the

conduct of elections, but no staffperson is allowed to participate in partisan activities for or against any candidate or candidates. It says:

*The Society is a highly democratic Union that exists to serve its members both directly and through its duly elected representatives.... Employees must not undermine their credibility or efficacy in the performance of their duties by participating in a partisan manner, or appearing to participate in a partisan*

*manner in the internal political activities of the Society. They must not favour, or appear to favour, one political position or elected representative over another.*

The Society Staff Union's representative on the Executive Board and Society Council is exempted from the policy.

Violations of the policy by unionized staff will be dealt with through the procedures outlined in the Collective Agreement.

The full text of the policy is available on the Society website.

**IT/Computers Policy:** Vice President Policy **Leslie Forge** presented a draft policy on the acceptable use of Society IT equipment and networks. The policy applies to all "employees, elected officials, contractors, consultants, temporaries, and other workers" at the Society, and is set out to protect the security of Society IT assets and data. Among other things, it sets a limit of 2GB of space on Society servers for any given user.

**Ramp to Board:** The Board reduced from ten to five the number of days in advance of any given Board meeting that documents are to be delivered to Board members.

**External Relations:** Society President (pro-tem) **Rod Sheppard** and Hydro One UD **Jim Botari** visited the Winnipeg Labour Council in December. They reported it was a good networking opportunity with some potential members.

Sheppard noted that it is his intent to set up a task force on nuclear issues to help formulate policies and plans to influence stakeholders on issues such as the upcoming nuclear renaissance, Ontario's plans for new nuclear facilities, and the federal review of AECL.

The Society has made two presentations on applications before the Canadian Nuclear Safety Commission:

- ◆ OPG's application to renew its operating licence for the Darlington NGS
- ◆ OPG's application to renew its operating licence for the Pickering Nuclear Waste Facility

Sheppard, OPG UD **David Romanowicz**, and Society Staff Officer **Richard Long** attended a conference of the Canadian Federation of Engineering Students in Edmonton in early January. More than 250 students were in attendance, many of whom visited the Society booth. A "significant number" had already worked for Society employers, and recognized the organizational branding.

President (pro-tem) **Rod Sheppard** reported that the Society's seven-person contingent at the Canadian Nuclear Association's 2008 seminar in late February had met with CEOs and other high-level executives of AECL, Cameco, Hydro One, Kinectrics, Bruce Power, OPG, Areva, and others. Sheppard met Michael Binder, the new president of the Canadian Nuclear Safety Commission, and had a discussion with a CNSC director-general whose department will be responsible for labour. Sheppard also had conversations with Peter Wallace, Ontario's Deputy Energy Minister; John Yakabuski, Ontario PC energy critic, and federal Minister of Natural Resources Gary Lunn.

Society representatives also attended a Liberal Party Heritage Dinner on February 28<sup>th</sup>, a dinner for NDP MPP Michael Prue, and a meeting with Labour Minister Brad Duguid. The primary topic of conversation for all these events was the proposed offshoring of Society work.

**Anti-Nepotism Policy:** The Board approved an anti-nepotism policy. "In order to avoid actual, potential or perceived conflicts between the Society's interests and personal interests," the anti-nepotism policy sets out to prevent the conflicts of interest that arise when senior elected officials are in personal relationships, or related to, members of the Society's staff.

It provides that:

- ◆ No person related to a senior elected official or to the Society staff manager shall be considered for employment with the Society.
- ◆ No Society Member related to a Society staff member can be nominated or run for election (or be appointed) as a senior elected official.

- ◆ If a senior elected official or the Society staff manager becomes related to a Society Staff person, the Senior Elected Official will be rendered ineligible to continue in their elected position as long as the related person continues to be a Society Staff person.
- ◆ If a senior elected official or the Society staff manager becomes related to a Society staff person, they are both responsible for declaring or reporting a conflict of interest under the Society Code of Conduct/Ethics.
- ◆ Society staff persons will not supervise or provide work direction to a Society staff person who is a related person.

A “senior elected official” includes any member of the Society Executive Board. The term “related to” includes family relationships as well as “close personal relationships.”

The Board and Society Council can consider exceptions to the rules, if circumstances arise in which such relationships present minimal conflicts, or where steps can be taken to eliminate undue influence.

“Problems around conflicts have been a concern for many years,” said Executive VP Policy Leslie Forge.

The full policy is available on the Society web-site.

**SPEA:** In February, President (pro-tem) **Rod Sheppard** reported that the SPEA Local had decided to hold a membership referendum to end the “trial period” of affiliation with the Society, recommending to their members that they rescind affiliation. Though he’d tried to contact SPEA Local VP Peter White, he’d been unable to do so, but had discovered that two membership information sessions were to be held, and a vote in late February. He understood that the Society would be allowed representation at the info sessions.

The Board directed the Executive Committee to offer SPEA at least a six-month extension of the “trial period.” In the end, SPEA members voted to end the trial period. (See article, below.)

**Finance Committee:** **Frank Lenarduzzi**, a former del-

egate in the Hydro One Local, was appointed the fourth member of the Finance Committee.

**Constitutional Referendum:** Constitutional changes approved by the October, 2007 Society Council were not approved in the subsequent membership referendum, as the quorum required for the vote had not been met. The Board decided to ask Council representatives to authorize the determination of all outstanding questions by the use of a mail-in ballot.

**Family Day:** The Board met in camera and decided to observe Family Day, the holiday recently added to the list of statutory holidays recognized in the Employment Standards Act.

## Three to vie for Society President

Two rivals have stepped up to challenge President (pro-tem) **Rod Sheppard** in the current election for the position of President.

By the close of nominations on February 22<sup>nd</sup>, **Adam Habayeb**, a former unit director at Pickering NGS, and **Frank Lenarduzzi**, a former delegate in the Hydro One local, had thrown their hats in the ring.

Election packages, including ballots, were to be sent to members on or about March 10<sup>th</sup>. Ballots will need to be returned to the Society office by, or post-marked before, noon on April 7<sup>th</sup>. They will be counted, and preliminary results announced, later that evening.

The next issue of the Newscast, which should appear next week, will have a close-up on all candidates and their campaigns.

## OPG Local secures good deal for licensed staff

The OPG Local has scored a significant victory with an agreement that better the working conditions of OPG’s



**Lanny Totton (l), OPG Local VP and Olaf Heilandt, who led the Local's bargaining team for licensed staff**

"licensed" staff.

Negotiating the agreement took 13 months. "We set some lofty goals, and achieved I'd say about 85 per cent of them," said former OPGN Local VP **Olaf Heilandt**, who led the bargaining team. "It's a matter of persistence and having the support of the membership."

Since October, 2005, when the two parties settled their current agreement, an agreement that runs till 2010, they have been engaged in bargaining "subsidiary agreements" for the four entities that make up OPG: Corporate, Fossil, Hydroelectric, and Nuclear.

The working conditions of licensed staff were a priority for the Society in formulating the nuclear subsidiary agreement. They are a group of highly qualified, trained, and experienced individuals who supervise the direct operation of OPG's nuclear reactors. Their importance to the operation of the nuclear generating stations cannot be overestimated: without them, OPG would have to shut the reactors down.

Unfortunately, given the five to seven years of training it's been taking to acquire the necessary licence (it's only supposed to take three to four), the long hours, and the pressures of the job, OPG is having trouble attracting

people to take the positions. There is serious understaffing, and current licensed staff are suffering from the immense amounts of overtime required to keep the stations running.

"Both parties needed to be forward-looking," said Heilandt. "We need to attract some young people into these positions."

In setting out to negotiate around the licensed staff, the Society set a number of goals to achieve, including:

- ◆ Devise a new compensation and bonus structure that would enhance attraction to and retention in the positions
- ◆ Address the problem of the duration of training
- ◆ Establish a joint issues committee for the group
- ◆ Address shiftwork and hours of work problems
- ◆ Address parity problems occurring between licensed supervisors and the power workers they supervise

The new agreement, said the OPG Local Bargaining Team, achieved the following:

- ◆ Brought all Society-represented licensed positions under one salary band (\$111,500 to 145,000 for 2007), retroactive to 2006
- ◆ Set salaries for Society licensed staff at 4.5 to 17 per cent above the power workers they supervise
- ◆ Increased pensionable bonuses, and made the bonus structure more equitable among the various licensed positions
- ◆ All employees reach the top of the salary band in six years, due to auto-progression
- ◆ Placed limitations on night shifts and forced overtime, and increased shift bonuses
- ◆ Wage protection for employees who need to leave their positions
- ◆ Set up an issues committee to meet quarterly

The agreement was ratified by the employees involved on January 18<sup>th</sup>, with 79 per cent voting in favour.

For a time during the 13-month process that led to the agreement things weren't going so well; indeed, last



July OPG Local VP **Lanny Totton** wrote to OPG CEO Jim Hankinson and Nuclear COO Pierre Charlebois, demanding that they “change their approach” and return to the bargaining table “with no pre-conditions.”

OPG managers, he said, had been “shopping around” a set of proposals that the licensed staff group had unanimously rejected; in effect, Totton charged, OPG was trying to do an end run around the Society’s Bargaining Team. He urged members to put pressure on their managers, and he and Heilandt remained in contact with OPG Executives and stakeholders, urging that the matter be resolved.

In November, when the sides decided to give it another try, Charlebois was at the table. Agreement was reached in December.

The Society’s bargaining team included Totton and Heilandt; licensed group members **Jim Valleau, Kevin O’Leary, Steve Zawada, Peter Smart, Kevin Wodzak, and Andrew Galuszka**; unit directors **Michael Lohse, Peter Tien, Victor Chetcuti, and Jim Bristow**; and Society Staff Officers **Joseph Lesperance, Terry Fitzpatrick, and Elizabeth Traicus**.

## SPEA Local leaves Society

The Society of Professional Engineers and Associates (SPEA) has decided to end its “trial period” of affiliation with the Society.

In a vote held February 19<sup>th</sup>, more than 500 members of the SPEA Local voted in a referendum to accept their Local Executive’s “unanimous” recommendation to quit the Society.

“Of course, we respect that the members of the SPEA Local decided to follow their leadership,” said President (pro-tem) **Rodney Sheppard**. “It’s not something I understand, so many people deciding of their own free will to go it alone when they’re under such stress, but it’s their right.”

Sheppard admitted that SPEA’s leaving doesn’t help further the Society’s plans for the future. “We’re in a growth mode. We’re moving forward, and will recover.”

SPEA entered into an affiliation agreement with the Society in 2006. Under the terms of the agreement, SPEA became a “local” of the Society, but the arrangement was not to become permanent until September 1<sup>st</sup>, 2007. Until that time, SPEA’s \$1 million in accumulated funds was to remain in escrow, SPEA members wouldn’t have access to the Society Collective Agreement Renewal (CAR) Fund, and SPEA members would not pay into the CAR Fund. Also until that date, SPEA could hold a referendum to end affiliation.

Last summer, the September 1<sup>st</sup> date was extended to March 1<sup>st</sup>, 2008, when SPEA representatives asked the Society’s Executive Board to do so, as SPEA needed the time to bring their bylaws into conformity with the Society’s Constitution.

There is little doubt that a catalyst for the SPEA disaffiliation was the Society’s workplace investigation [REDACTED], and issues arising out of it, including the anti-nepotism policy (see “Board Highlights,” above). SPEA representatives had been making their opposition to the workplace investigation known since last summer. At least one SPEA representative advocated against having an anti-nepotism policy at all.

In urging their members to vote for disaffiliation, SPEA leaders said the following is why they just couldn’t recommend staying:

- ◆ Votes at the Executive Board are based on “weighted voting,” the OPG and Bruce Power Locals vote as a bloc, and the Principal Officers don’t have enough power
- ◆ The Society Staff Union has a vote on the Executive Board and Society Council, which they wield “in alliance with OPG and the Bruce”
- ◆ The Society has a “dismal history of member apathy and disengagement,” while SPEA has a “proud history of member involvement and engagement”

- ◆ The SPEA local could continue to participate in the broader labour movement without the Society

Michael Ivanco, SPEA Vice President, told SPEA members in an information meeting that SPEA leaders felt they had “lost control” of their destiny. “I want to get it back.”

The Society argued that SPEA was one of the largest locals, and had just as many votes as the Bruce Power local, and denied that the OPG and Bruce Power locals were in collusion. “The Bruce Power and OPG locals are strongly independent, make up their own minds, and work together when it’s in their interest,” said Sheppard. “Just as you’d expect in a union run on democratic principles.”

“We proudly extended Board participation to our staff union in the 1990s, and they use their vote to further the interests of the Society, which are also their own,” he said. “The workplace investigation was a joint process, involving the Society and the Staff Union as equal partners, in a manner similar to all the other joint procedures we engage in with our employers.”

“Our problems with membership apathy are no different than those of any other union,” he said, “and we are constantly addressing them.”

Worst, said Sheppard, was the SPEA leadership’s promise to join the “broader labour movement” on their own. “That’s just wrong,” he said. “It wasn’t even possible for the **Society** to do that—that’s one reason we joined the IFPTE.”

In fact, said Sheppard, SPEA leaders had never complained about any of these “issues” to the Society Executive Board. The only thing they ever complained about was the workplace investigation. “They’ve dug themselves into a pretty deep hole if they ever find they have to defend their members from discrimination and harassment,” he said. “If hiring highly qualified independent investigators and having their findings and recommendations checked by immensely respected legal authorities isn’t the way to deal with such things, I don’t know what is.”

“Finally,” Sheppard said, “I don’t know how the SPEA Local

thought it was advancing its own interests in the coming nuclear renaissance by gravely insulting 6,500 or so of the other professional employees in the business.”

Having received notice of the SPEA intention to run a referendum on January 28<sup>th</sup>, the Society mounted a campaign to convince SPEA members otherwise, but the die was largely cast. “We did what we could, and we took the high road,” said Sheppard. “I’m proud of what we did, and how we behaved, given the provocations. I thank all those who gave their time, both elected officials and staff.”

While the campaign was underway, SPEA President Peter White wrote to Sheppard to complain that the Society effort to turn back the disaffiliation move was a “hindrance” to SPEA’s democratic processes.

## Discrimination pattern relevant, even if settled previously

Settling a grievance to remedy a pattern of discrimination is no barrier to raising the details again, arbitrator Laura Trachuk has ruled in a Society grievance.

In a grievance filed by the OPG Local, the Society alleged that a ten-day suspension meted out to an employee for improper use of the internet from the employee’s workstation was improper. The employee’s behaviour, the Society argued, was brought about by illness, an illness that arose from and was exacerbated by a pattern of discrimination and harassment.

In order to establish the pattern, the Society relied on incidents in the employee’s workplace going back to 2004. But hold it! said OPG’s lawyers. Incidents prior to 2007 had been dealt with in a settlement that year, and could not be raised again.

Ms. Trachuk ruled that an ongoing pattern of discrimination might indeed be relevant to a grievance over the discipline imposed on the employee, even if prior incidents had led to a settlement. As long as the Society was not attempting to re-visit the remedy for the earlier incidents,

she said, the incidents involved could still be used to establish that the pattern indeed existed.

The Society's case was argued by counsellor Veena Verma, of the firm Cavalluzzo Hayes Shilton McIntyre Cornish. She was instructed by Society Staff Officer **André Kolompar**.

## Darlington, Pickering, OPG award winners

Darlington NGS has been hauling in the awards lately.

Last December, it was announced that the Institute of Nuclear Power Operations had given Darlington a performance improvement award for "significant operational improvements."

In January, Darlington was awarded the "world class ALARA performance" award by its North American peers in the Information System on Occupational Exposure (ISOE). ALARA stands for "as low as reasonably possible." The ISOE is a program of technical information exchange, and a forum for radiation protection experts, from utilities and regulatory authorities in more than 30 countries.

The ISOE has developed the world's largest occupational exposure database for dose reduction information and experience.

Not to be outdone by its Darlington unit, OPG as a whole and other sites have been scooping up honours.

OPG has won the Canadian Electricity Association's President's Silver Award of Excellence for Employee Safety, based on the company's performance in 2005 and 2006. In order to win this award, a utility must be in the top quartile of their grouping for both All Injury/Illness Frequency and Lost-Time Severity rates.

In the meantime, OPG reports that 2007 was a year of "significant improvement" in these same safety measures, and that the company made it through the year with no lost-time incidents. At its December meeting the OPG Board recognized and praised its employees for the outstanding results.

At the North American Wildlife Habitat Council's annual symposium in January, OPG's Pickering NGS beat out 104 other nominees, mostly U.S. ones, for the International Conservation Award, considered the ultimate corporate conservation award. Pickering narrowly beat out OPG's Niagara Plant Group, also a finalist for the award.

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