

## News from the Society of Energy Professionals

**Inergi  
work to be  
“on”shored**



**Inergi Local VP Elaina De Luca (l) and unit director Dianne Mowat**

**I**nergi is preparing to “onshore” a number of Society-represented positions that had previously been sent to India. Completion of this “transition” will mark an extraordinary Society victory over forces of “globalization” that have heretofore seemed largely out of control.

“This is a huge victory for us in the battle to retain our work,” said Inergi Local VP **Elaina De Luca**. “The transition of work from India back to Inergi is going to be a challenging one, but our members are capable and we will succeed.

The move by Inergi management comes after months of Inergi/Capgemini leadership attempts to interpret the “dec-

laration” of Minister Smitherman to the Hydro One Board of Directors (see *NewsFLASH* 2008:04) as “business as usual.” Given that the Capgemini business model is based on offshoring work to cheaper labour jurisdictions, that resistance is perhaps not surprising. The Society worked behind the scenes to ensure that Hydro One and Inergi managements lived up to the Minister’s commitment.

“Cap officials have tried every way they could to wriggle out from under the Minister’s commitment not to offshore,” said Society President **Rod Sheppard**, “but before we ever claimed victory last October we were careful to ensure we knew exactly what the Minister meant—that work will be coming back.”

News of the “onshoring” came in a May 21<sup>st</sup> memorandum from Inergi account executive Dominick Dodds. He asserted that while “last year” Hydro One had chosen to continue to receive support for its “Cornerstone” project from both on- and offshore, they had recently changed their minds, and now want all such support to be delivered from Ontario only.

De Luca doesn’t expect the disputes to end soon. “We’ve been complaining about the lack of training [in Cornerstone-related software], but management keeps throwing up roadblocks. It doesn’t make a lot of sense—we need to be able to do the work that’s coming back to us.”

### Board highlights: June, 2009

The Executive Board met on Tuesday, June 2<sup>nd</sup>, and dealt with the following items.

**Recognition:** The Board recognized the following for outstanding contributions to the Society since the last meeting:

- ◆ Senior Financial Officer **Joan Florence**, for the “outstanding job” she has done setting up a new financial system for the Society
- ◆ **Bob Wells**, Bruce Power unit director, for all his work as the Local’s point man for the purchased services agreement (PSA), which, among other things, led to an important settlement of outstanding PSA disputes (see article, below)
- ◆ All Society leaders and members who attended the GTA Stewards’ Assembly on May 7<sup>th</sup> (see *Newscast* 2009:01)
- ◆ OPG Local VP **Lanny Totton**, for his special report to a Bruce Power Local Council meeting in May on developments at OPG



On June 13<sup>th</sup>, the Toronto and York Region Labour Council sponsored a rally and march to press for changes to (un) employment insurance and pension protection. A small, but spirited, and bilingually signed, Society contingent participated. Pictured are NWMO Local VP Jose Freire (yellow Lacoste), EVP Policy Leslie Forge (pink Sisters in Society t-shirt), and EVP Finance Bill Jones (white cap).



On May 20<sup>th</sup>, Society-backed documentary *Poor No More* received its first launch at the Canadian Social Forum in Calgary. Taking part in the post-showing panel discussion were (from left) Society President Rod Sheppard; the film’s star, Mary Walsh; film Producer Suzanne Babin, former Alberta Treasurer Jim Dinning, and film Executive Producer David Langille.

**Audit Committee:** The Board appointed **Bernardine Ngan**, a senior credit analyst at OPG, to the Audit Committee. Ms. Ngan completed a B.Comm. at Concordia University, and has 26 years of credit experience.

She joins **Jim Botari**, (Hydro One), **Vesna Markovic** (IESO), **Lanny Totton** (OPG Local VP), and **Tracy Miller** (Vertex Local VP). Miller and Totton co-chair that Committee.

**Dues Annuity Procedure:** Executive Vice President **Bill Jones** presented a proposed “sustainable dues annuity procedure.” A method of calculating the maximum allowable “dues annuity payment” into the Society’s operating budget, the procedure is designed to guide the Board in making decisions around supplementing dues income with non-dues income. The 2009-10 budget and work-plan were approved by the Board presuming that the dues annuity procedure would be quickly produced and put before them (see *Newscast* 2009:01).





**On June 23<sup>rd</sup>, the Electrical Safety Authority Local celebrated the publication of its collective agreement with a get-together and barbeque. Michael Bell, of the OEB Local, was on hand, and addressed the group about bargaining with his employer.**

The procedure sets out the steps by which the Board will estimate future amounts of non-dues income (largely distributions from the Society's holdings in Bruce Power), respond to over- or underestimates from the year before, and make decisions about how much can be used in the operating budget. It is designed to ensure that the Society's annuity from such income will not be exhausted until 2045. Of course, if the Board in any year decides not to allocate the maximum annuity payment, as it did for 2009-10 (\$1.1 million out of a maximum of \$2.1 million), then the annuity will last longer.

### **Bruce Power Local settles outstanding irritants**

The Bruce Power Local has recently signed a pair of agreements that will resolve long-standing disputes.

In one, they've set in place Letter of Understanding regarding the "purchased services" (contracting out) process that, according to Unit Director **Bob Wells**, will help "end

the dependency" on contractors. In the other, the Local and Bruce Power management have resolved the working conditions of those assigned to the Outage Control Centre, an on-again, off-again unit set up in 2006.

#### **PSAs**

According to Wells, Bruce Power management's dependence on purchased service agreements (PSAs) to hire "boomerangers" (Bruce Power retirees hired back as contractors) had created a cycle of dependency that was hurting the company. "There's no future in bringing back old guys. The future of the company and our union is in young people," he said.

It was a serious problem, he said. "They'd fallen about 25 per cent behind authorized headcount, through negligence and attrition. At the same time, we're renting [retiree] contractors at double price."

So the Local used its power under the PSA process to provoke negotiations to begin to resolve the situation. "[W]e stopped agreeing to PSAs," he said. "They threatened unilateral action, but they knew they'd just end up in arbitration." (In the Bruce Power Local's collective agreement, like in several other Society agreements, the decision to "purchase a service" is a joint one—both Parties must agree before management can do it.)

On May 12<sup>th</sup>, agreement was reached on an omnibus PSA agreement for 2009. Part of the deal, says Wells, is "they get to bring in some old-timers with the specialty skills they need." Absolutely crucial, however, is that Management has agreed to hire on 40 new temporary employees in the Society bargaining unit. Since temporary employees have hiring preference over those "on the street," he says:

*We know, and [management] knows, that these young people will be filling out applications for permanent positions and getting them, and they'll have to fill the temp positions again. So that's a "good news" problem for both them and us.*

The Bruce Local also gets:

- ◆ A significant increase in the amount and types of contractor tracking information Management is required to give the Local
- ◆ In lieu of union dues, the Company will pay a significant amount of money to resolve the grievance

It's a good deal for the Local, says Wells, and a good one for Bruce Power. "I think they'll see this is a much better way to conduct their business. They're saving money, and getting new, young, keen people in."

### Outage Control Centre

In 2006, with very little discussion with the Society, Bruce Power set up an "outage control centre" (OCC) to oversee and direct outage work. It's only staffed when there is an outage to manage.

The Local filed a complaint in 2007, alleging that:

- ◆ OCC positions had not been properly established and rated under Plan A
- ◆ They belonged in the Society's jurisdiction
- ◆ Shift schedules were being established improperly
- ◆ Represented employees were being forced into OCC roles
- ◆ The OCC was a permanent fixture, and should be staffed on a permanent basis
- ◆ Wages and benefits for those assigned to the OCC were not in accordance with the Collective Agreement

While waiting for arbitration dates to arrive, in 2007 the Local entered into negotiations to resolve the situation. Negotiations continued fitfully until recently, heating up when an arbitration date was imminent, and dying down after a date had been cancelled. On May 6<sup>th</sup>, with arbitration dates of May 11<sup>th</sup> and 12<sup>th</sup> nearing, the Local and management came to a resolution of the dispute.

Highlights include:

- ◆ A single OCC job document has been set up to outline five Society-represented manager specialties



Photo: Sungsoo Kim

**On June 21st, Canada observed National Aboriginal Day. On June 19th, OPG celebrated at the Sir Adam Beck complex in Niagara Falls with a performance by the Fort Erie Friendship Centre Drums and Dancers.**

- ◆ OCC positions will be temporary, but also voluntary; they will be filled through postings
- ◆ Employees assigned to OCC positions will be placed on the MP6 wage scale with a salary at least five per cent higher than their regular salaries
- ◆ For forced outages, volunteers will be placed on an on-call list for one year at a time
- ◆ Employees assigned to the OCC for forced outages will receive an extra two hours pay for every day in which they're fulfilling that assignment

Local VP **Rob Stanley** expressed satisfaction with the settlement. "We accomplished what we set out to achieve and, overall, I think it's a good deal for the Bruce Power Local."

## “Drv2Wrk” caravan tours Ontario

Leaders of the Ontario Federation of Labour have travelled 3,000 km through Ontario to deliver a message to Ontario Premier Dalton McGuinty.

The caravan was launched simultaneously in Kenora and Oshawa on June 8<sup>th</sup>. “It seems like the people and communities who have suffered the most during this recession have not had their voices heard,” said OFL president Wayne Samuelson. “After a lifetime of hard work and planning for the future there’s nothing and no one working for them any more.”

There were four legs to the caravan: Kenora to Sudbury, Geraldton to Sudbury, Brampton-Windsor-Hamilton, and Oshawa-Ottawa-Sudbury. Caravan vehicles converged in Toronto on June 25<sup>th</sup> to present the results of its visits to more than 50 cities and towns to the Premier.

“We’re travelling to communities and providing people an opportunity to have their say in what’s going on in their lives and what they’d like to see the government do in terms of this recession we face,” Samuelson said. “From Kenora to Kingston, from Smooth Rock Falls to Smiths Falls, from Wawa to Windsor, people with something to say can speak and be heard.”

“It’s time to tell the stories behind the statistics. No one and no community is alone in this struggle.”

The “Drv2wrk” campaign has a web-site on which users could follow the caravan around the province, read the statements, and watch the video. There’s a channel on Youtube, a photostream on Flickr, and tweets on Twitter, among other contemporary networking technologies.

Perhaps not surprisingly, some of the most wrenching stories came out in Northern Ontario, where the devastation was already well underway when the recession hit last fall. In northwestern Ontario, one in seven youth are currently unemployed, or 14.6 per cent, and one in seven men are out of work, or 14.2 per cent.

At time of writing, it was not known whether Premier McGuinty would meet with OFL officials on the 25<sup>th</sup>.

## Obama nominates IFPTE’s Clark to Federal Labour Relations Authority

U.S. President Barack Obama has nominated IFPTE General Counsel Julia A. Clark to the office of General Counsel of the Federal Labor Relations Authority (FLRA).

Sister Clark was one of three names forwarded by President Obama to the U.S. Senate on June 4<sup>th</sup> to occupy key Obama Administration posts.

In doing so, President Obama said, “As we work to confront the many challenges our nation faces, I am grateful that these fine public servants have chosen to join my administration in fighting for working families and putting America on a path to prosperity. I look forward to working with them in the coming months and years.”

The FLRA was set up in 1978 to regulate labour relations and collective bargaining between federal employees and their unions and federal government employers, excluding the postal service. The FLRA’s Office of the General



IFPTE General Counsel Julia A. Clark

Counsel (OGC) is that agency's independent investigator and prosecutor. When she takes up her position, Clark will oversee the the general, day-to-day management of the OGC, including the management of the OGC's seven Regional Offices.

Sister Clark received her law degree in 1980 from the American University College of Law in Washington, D.C., and her BA in 1977 from Oklahoma Baptist University. She started her legal career as a trial attorney in the United States Department of Justice, Antitrust Division. For the past 20 years she has practiced labour and employment law on behalf of unions and workers and before federal courts and agencies, including the Federal Labor Relations Authority, the National Labor Relations Board, the National Mediation Board, and the Personnel Appeals Board of the General Accountability Office.

Other than sincerely congratulating Clark on this "great accomplishment," IFPTE leaders have declined to com-

ment, pending confirmation of her nomination by the Senate.

Clark may have her work cut out for her. According to a January article in the *Washington Post*, the FLRA is at a "crossroads." Staffing levels had declined 35 per cent from 2003, and its budget fell 19 per cent, to \$22.7 million. Despite the agency's dire straits, last year the FLRA managed to return between \$1 and \$1.5 million in unspent appropriations to the U.S. Treasury.

FLRA staffers rated it dead last among small agencies in the 2007 "Best Places to Work in the Federal Government" rankings published by the Partnership for Public Service.

Authority Chairman Thomas Beck, a Bush appointee from last October, says he's been working to hire more staff and reduce backlogs; however, rumours persist that President Obama will replace him with a Democrat.

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