

September 9, 2019

CHANGES TO PART III OF THE CANADA LABOUR CODE

Sisters and Brothers:

The federal government, through Employment and Social Development Canada, announced changes to Part III of the *Canada Labour Code* (CLC). Among other things, these changes deal with flexible work arrangements and personal leave, extended bereavement leave, leave to support victims of family violence, leave for traditional indigenous practices, the right to refuse overtime to carry out family responsibilities and a thirty (30) minute break for every five consecutive hours of work.

You have received communications from Canada Post concerning these changes. It is important to note that your Union was not involved in the preparation of those communications and the purpose of this bulletin is to explain why.

To begin, Canada Post was responsible for applying the changes to Part III of the CLC by September 1, 2019. The first consultation with the Union took place on July 30, 2019.

On August 21, 2019, Canada Post sent the Union a copy of its communication plan concerning these changes and how they would affect CUPW's members. CPC requested an answer within a couple of days. That was a very short timeline to discuss these complex matters.

The Union responded that the timeline was unreasonable, as we had to review and discuss the communication plan. The information available from the Labour Program also posed some challenges in reviewing the changes. The regulations attached to these changes are not yet available and a great number of interpretation papers or guidelines from the Labour Program complicated our review. Therefore, we advised the employer that we would be able to provide feedback by Friday August 29, 2019 and also requested that CPC delay sending their communication to employees until CUPW had replied.

The employer's response was that we would have until Monday August 26, 2019, and even if we had not responded by that time, the employer would provide the communicate to supervisors at noon on Tuesday August 27, 2019. The Union was unwilling and unable to accept that timeline and CPC sent the communication.

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On September 3, 2019, a letter was sent by Carl Girouard, the National Grievance Officer (NGO), to the employer expressing the Union's disappointment with the process, including the rushed timelines, and advised CPC that CUPW refused to waive any rights concerning the Corporation's interpretation and/or application of the changes. At this time, the Union is not in a position to confirm whether we agree with CPC's application of the new provisions of the *Code*.

The Union is currently reviewing the communications from the employer as well as the provisions of the *Code* aligned with the Collective Agreement. We will be requesting consultation with the employer as soon as possible in order to clarify the application of the changes to the *Code*. We will keep you apprised of any updates.

Solidarity,



Carl Girouard
National Grievance Officer

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