

cupw•sttp 2017-2018

# Negotiations

Urban Postal and RSMC

October 23, 2018

Bulletin # 051

## KNOW YOUR RIGHTS

Now that we're in a period of job action, Canada Post is entitled to change provisions of the collective agreement. Nonetheless all postal workers have basic rights under various federal legislation:

**Hours of Work:** The definition of a work day and work week is 8 hours a day and 40 hours per week. Hours worked in excess of 40 hours per week shall be paid at a rate of not less than one and one-half times the regular rate of pay. No employee shall be required to work more than 48 hours per week.

**Days of Rest:** The *Canada Labour Code* provides for at least one full day of rest per week.

**Dismissal/Termination of Employment:** CPC can terminate you for just cause, without notice. If you are terminated you will need to file a grievance and talk with your Local union representative about other options. One of these options is to file a complaint to Labour Canada under Section 240 of the *Canada Labour Code* for unjust dismissal. Your Local will assist you with the filing of a complaint.

**Sick Leave:** If you are sick, you can take sick leave without pay. For illnesses longer than one week, you may qualify for sick leave benefits through *Employment Insurance*.

**Layoffs:** You can be laid off due to lack of work. If this happens, please contact a member of your Local Executive who will contact strike headquarters immediately.

**Sexual Harassment:** It is prohibited under the *Canada Labour Code*. Other forms of discrimination are prohibited by the *Canadian Human Rights Act*.

**Health and Safety:** You have the right to be advised about known or foreseeable hazards in the work place and be provided with the information, instruction, training and supervision necessary to protect your health and safety.

**Right to refuse:** You have the right to refuse dangerous work. In order to be protected by the *Code* when exercising this right, you must follow the proper procedure. Please talk to your shop steward or health and safety representative about the procedure.

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**Reporting pay:** The employer shall pay a minimum of 3 hours of regular pay to any employee reporting to work at the request of the employer, even if there is no work to perform.

**Statutory holidays:** Employees are entitled to 9 paid statutory holidays per year; the next statutory holiday will be Remembrance Day.

**Bereavement leave:** When a member of your immediate family dies, you are entitled to paid leave for any scheduled working day that falls within the three-day period immediately following the day when the death occurred. Please refer to the federal labour standards (link below) for the definition of immediate family, as it is different than our collective agreements.

**Maternity Leave:** You are entitled to up to 17 weeks of maternity leave if you have completed six consecutive months of continuous employment. This leave may start up to 13 weeks before the expected date of delivery and end no later than 17 weeks after the actual delivery date. You may be eligible for maternity leave benefits from *Employment Insurance* (EI) or the *Quebec Parental Insurance Plan* (QPIP).

**Parental leave:** Up to 63 weeks that can be shared between parents. You may be eligible for parental leave benefits from EI or the QPIP.

**Compassionate care leave:** Up to 28 weeks. You may be eligible for compassionate care leave benefits from EI.

More detail on federal labour standards is available at:

<https://www.canada.ca/en/employment-social-development/programs/employment-standards/federal-standards.html>

The *Canada Labour Code* is available at:

<https://laws-lois.justice.gc.ca/eng/acts/L-2/>.

The *Employment Insurance Act* is available at:

<https://www.canada.ca/en/services/benefits/ei.html>

The *Quebec Parental Insurance Plan* is available at:

<https://www.rqap.gouv.qc.ca/en>

Other basic rights are defined in the *Canadian Human Rights Act*, which alongside the *Employment Equity Act*, contains protections from harassment and discrimination.

This is legal strike action and we are respecting the *Canada Labour Code* which sets out rules for strikes and lockouts. But we have to be alert to management disrespecting our rights. Please call your local immediately if Canada Post management threatens you with discipline. Please report any hostility, intimidation, discrimination or provocation that you witness or experience from Canada Post management to your local or regional office.

In Solidarity,



Nancy Beauchamp  
Chief Negotiator, RSMC unit



Sylvain Lapointe  
Chief Negotiator, urban unit