

## CEP files Unfair Labour Practice Complaint

SEPTEMBER  
14, 2010

### Bell Mobility accused of violating employees' right to unionize

On Monday September 13, the Communications, Energy and Paperworkers Union of Canada (CEP) filed an Unfair Labour Practice Complaint, on behalf of employees at Bell Mobility, alleging the company is "unlawfully interfering and curtailing the right of employees to engage in collective bargaining". The union has accused the Bell Mobility of intimidating and threatening employees who are exercising their right to join and support the union.

A number of Bell employees allege that they have been pressured by managers and by members of Bell Mobility's Leadership Development Program (LDP) into signing forms revoking their membership in the union by claiming that they will lose their jobs or be "locked out" if a union comes in.

According to the Complaint these LDP "in-charges" have a close relationship to upper management and are being directed by Bell Mobility management to engage in anti-union activities openly in the workplace.

The Complaint alleges that Team Leaders are circulating an article about Bell Aliant closing three call centres in Eastern Canada in an attempt to convince workers that there is a link between the closure of call centres and a loss of jobs with unionization. This article had been circulated by Team Leaders and LDP supervisors. Sean Burgess, a former TL and "in-charge" commented in an email to Team Leaders: "FYI - , share with those around you... CEP didn't help these guys".

*In fact since that article was written CEP and Bell Aliant have negotiated an agreement that will keep all five Atlantic call centres open and no jobs*

*will be lost if this agreement is ratified by a democratic vote of CEP members at Bell Aliant (see story on the next page – The Truth About Bell Aliant)*

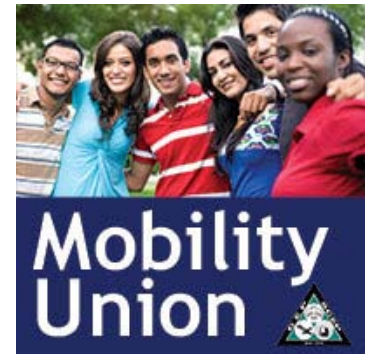
CEP alleges that Bell Mobility management has prevented union supporters from distributing material to employees while allowing managers and anti-union employees to operate freely in the workplace, including talking to employees and pressuring them to sign union revocation forms at their desks and at TL cubicles and during work time.

Union supporters who tried to distribute union material at 5.30 am, when no other employees were at work, were told that this was "disruptive" and the material was ordered removed by a senior manager, according to the CEP's Complaint.

At the same time as employees were being told in a memo by new Client Care VP, Nancy Tichbon, that it is now ok to eat, drink, read, listen to music and use a cell phone while waiting for a call, they were being told in another memo that they are not allowed to receive or read union material at their desks.

Dozens of Bell Mobility employees have told CEP organizers that they have been coerced by anti-union employees while at work to sign a form revoking their union card. Many of them were told that Bell Mobility has a list of who has signed a union card. The CEP alleges that LDP "in-charges" such as Suppiah Vatsala, Poonkathrai Balakrishnan and Sean Burgess have been directed to wage an anti-union campaign by Bell Mobility management and to send the message to employees that if you sign a union card management will know and there will be consequences for your employment.

CEP also alleges that other employees, who have openly supported the union and are members of the Workers Organizing Committee, have been



targeted by management and are being threatened with discipline and performance reviews in an attempt to "force" union supporters out of the workplace.

***The CEP alleges that the "true blue" campaign is being orchestrated by management to strip Bell Mobility employees of their right to support a union in their workplace. CEP believes that Bell Mobility is illegally threatening and intimidating employees who wish to support unionization. CEP is committed to protecting workers' rights and seeking justice and the right to freely choose to unionize for Bell Mobility employees***

While many employees who have been intimidated, threatened and coerced are fearful of coming forward and testifying against the company, others have agreed to sign statements or testify about the anti-union campaign and violation of employee rights being waged Bell Mobility.

**If you have been intimidated, threatened or coerced into signing an anti-union form or feel that you cannot sign a union card for fear that you will be punished or discriminated against please contact CEP at:**

**416.948.0539**

**Or send a confidential e-mail to:  
dave.bosveld@cep6006.ca**

**Call 416.948.0539  
If you feel your rights  
are being violated**

**Help stop the company from violating employee rights!  
Canada is a democracy. You have the right to choose union  
representation without interference or threats from management.  
It's YOUR choice! Don't let your rights be taken away from you.**

**www.mobilityunion.ca**

# We're Building a Union Because...



Hello, my name is Claudio, I have been working at Bell Mobility since 2004 and I have enjoyed much of my time as an employee of the company. However, over the years I have seen many things transpire that seemed to lack commonsense and have lead to unfair treatment of many employees, including myself.

Many of you who have come to Bell Mobility may have been in one of my training classes. I was a trainer and had met and exceeded expectations ever since I began with the company. After being on "loan" for over two years, I was told that due to lack of hiring I would have to go back to my previous role. I accepted the decision as I was aware that it was the nature of my position. The problem was that I was instantly replaced by several other trainers and I had my pay reduced by a significant amount.

After disputing managements' decision to kick me out of the department, I quickly exhausted all avenues of dispute without resolution or reasonable explanation. I have since come to the realization that the

past six years of my hard work and excellent record have essentially been rewarded with a demotion and pay decrease. If I would have had access to a meaningful grievance process, I'm certain that I would still be in the position I earned and deserve. Keep in mind that this is just one of many things I have had to deal with. During the last union campaign I was assured that things would be different, so far I have seen nothing more than false generosity, and the proliferation of irrational decisions.

No matter what you will decide, in the hope of giving you something that may be useful to you in the future, just like I used to do in my classes, I will end by giving some words of wisdom: In life, without voice one has no power, by keeping one voiceless is to make those who speak for them preserve their supremacy. By saying nothing we are telling those with voice that we are content to be utensils in the pursuit of their desires. If we all ask for what we want together, one thing is for sure; we will be heard!

**Claudio Panni – Tech Solutions Rep**

## The Truth About Bell Aliant

An article being circulated by Bell Mobility management claims that Bell Aliant announced the closure of 3 call centres in Atlantic Canada on July 15, following a rejection by the union (CEP) of an agreement that would have gutted their collective agreement.

Here's what it doesn't tell you:

Following that announcement new negotiations took place and a new tentative settlement was reached between Bell Aliant and CEP on August 5. This tentative agreement guarantees that all five existing call centres will stay open and that there will be no consolidation of work that would force an employee to choose relocation or losing their job. In addition the company has committed to reduce the number of contractors over the next 3 years.

Post employment benefits will continue to be paid for members who retire up to 2014.

There is a wage increase of 1.75% on January 1, 2011 but no further wage increases for the life of the agreement (to December 31, 2014).

**This is a much improved agreement which preserves jobs and prevents outsourcing.**

This tentative agreement is currently being voted on by Bell Aliant members across the Atlantic Provinces.

Without a union a Bell Mobility can outsource and contract out jobs and the workers have absolutely no voice in that decision and no protection. With a union, Bell Aliant workers have a process which allows them to bargain directly with the company and negotiate protection against outsourcing and contracting out.

Only a fool would try to deprive working men and women of the right to join the union of their choice.

**President Dwight Eisenhower (1953-1961), general and Allied Supreme Commander in World War II**

Did you know...

A Union is formed when a majority of workers sign cards and pay 5\$ within 6 months.

Your card IS your vote. Signing a card means yes you want a Union. Not signing means no. Being “on the fence” counts as a no.

A vote is only held when there is less than 50% but over 35% support for the Union.

You have the right to sign your Union card confidentially, without being threatened by management with loss of job security.

Your right to organize includes the right to talk about the Union at the workplace during non-working time, to receive and read union material and to actively support the union campaign during non-working time.

**THIS IS THE LAW!**

## The Canada Labour Code

**Part 1, Section 8 (1): “Every employee is free to join the Trade Union of their choice and to participate in its lawful activities”**

**Part 1, Section 94 (1)(a): “No employer or person acting on behalf of an employer shall participate in or interfere with the formation or administration of a Trade Union, or the representation of employees by a Trade Union”**

# We’re Building a Union Because...



Hi my name is Rebekah. I work in Client Relations Help Desk. I have decided to join my co-workers creating a Union for a number of reasons. Firstly, I believe that we are stronger united as a group than divided as individuals. Bell Mobility is a powerful company. Second, why can't we have some of the some of the working conditions, and protections that our Unionised peers at Bell Canada enjoy? Why does BM management care so much if we join a Union? Is it bad for us to exercise our rights to choose to be represented by a Union? Who represents us today if we don't meet our stats, if the company decides to discipline us? Who represents us if we don't agree with the policies and practices of the company or the changes that they make. I have learned that anything that we have today we can lose tomorrow, unless we negotiate it with the company and get it in writing - in legally- binding collective agreement. I wonder why Bell is so afraid of that. In my two years with the company I have seen favouritism, fear tactics, and attempts to block the Union. Most of the time it is managers, or people in the LDP program that are

working the hardest to prevent the Union. Through my work on the Union Committee I have seen first hand the benefits that a union could bring. The company has been forced to make changes or take the workers into consideration because we are building a Union. Bell Mobility is doing extremely well in the wireless market. We certainly play a significant role in that. And yet they have sent trainers to the Philippines to outsource some of our jobs. Does that seem fair to you? Today, do we have any way of limiting or preventing that? The answer is no, because right now it is entirely up to the company. We have no say! In fact we are not even at the table to be considered when these decisions are being made. Our strength as workers comes when we join together, and build our own organization...A Union. Let's exercise our rights now! Take charge of our future at Bell Mobility. Let's not accept less this time around. We should not be convinced to go against our own interests by threats of retaliation, or fear. Join us – and sign a union card today  
**Rebekah Richards**

# We're building a union because...

Better wages and fairness when it comes to promotions

**Edith Erhirie - Clients Solutions**



I want a level playing field between management and employees.

**Scott Regis – National Channel Support**



If we want to make a difference and bring a positive change in our workplace, we must band together in a common purpose and demand to be treated with respect by our employer

**Obed Jean-Jacques – Business Client Care**



A union is very beneficial to have because it provides us with job security and ease of mind when it comes to work. It is important to have a fair arbitration and with a union that is possible

**Fahad Abubakar – Consumer Client Care**



The reasons why I want a union is to prevent the roller coaster ride we have all been experiencing over the years regarding our objectives, benefits, wages, and job security. This means for me and I know for others a chance to have a say within Bell and therefore to have a say in your workplace that affects your daily life and that of your family life too.

**David Yamashita - Tech Solutions**



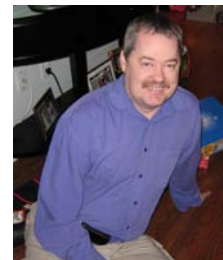
Unions have a voice loud enough for major corporations to hear. Unions can articulate clearly enough for major corporations to understand. Unions have a solid force which major corporations can't push over

**Renée Scott – Consumer Client Care**



Without a union we are not represented properly at the table. With a union we will have an opportunity to stand up for our rights in solidarity with our real support.....our peers.

**Hugh Doherty – Tech Solutions**



It's about fairness and having our seat at the table.

Bell employees need a voice.

**Prudence Estwick – Consumer Client Care**



Now is the time to show that we can build something that's good for everybody, not just for one person

**Mary Alberts-Rahber – National Channel Support**



Visit our websites:

[www.mobilityunion.ca](http://www.mobilityunion.ca)

[www.facebook.com/mobilityunion](https://www.facebook.com/mobilityunion)